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FILE NO. 101-86-75

ORDINANCE NO. 101-87

RO #6712 SA #115

(Government Funding)

APPROPRIATING $55,000 FOR CAPITAL IMPROVEMENT PROJECT (CAMP MATHER), RECREATION AND PARKS, FISCAL YEAR 1986-87

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1986-87 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
02-229	Special Revenue Fund		
42-02-01	Recreation and Park		
G.L. 490 (002113)	Unappropriated Revenues	$55,000	
21-2030 (367656)	Capital Improvement Project		
Project 202-05	Camp Mather Improvements		$55,000
	Total	$55,000	$55,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

By: John C Farrell
CONTROLLER

FEB 19 1987

RECOMMENDED:

[signature]
MAYOR

lp-1755A pg.3

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 16, 1987	March 23, 1987
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Maher Walker	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Nelder Silver Walker Ward
Absent: Supervisors Molinari Nelder Silver Ward	Absent: Supervisors Britt Molinari

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Clerk

File No.
101-86-75

APR 3 1987
Date Approved

[signature]
Mayor

FILE NO. 102-86-23

ORDINANCE NO. 102-87

SALARIES AND WAGES

SAL. ORD. AMEND NO. 19

AMENDING ORDINANCE NO. 316-86 (ANNUAL SALARY ORDINANCE, 1986-87) TO PROVIDE RATES OF COMPENSATION, EFFECTIVE NOVEMBER 2, 1986, FOR CLASSES SUBJECT TO THE PROVISIONS OF SECTION 8.405 OF THE CHARTER (POLICE AND FIRE).

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated sections and items of Ordinance No. 316-86 (Annual Salary Ordinance, 1986-87) are hereby amended so that the same shall read as follows:

No. of Pos	Class and Item No.		Class Title	Compensation Schedule
	Dept.		31 Fire	
	Division		03 General	
	Section		00 General	
	Fund		01001 General Fund	
	Object		002 Regular Uniform	
1	0140	A	Chief of Dept. Fire Dept.....	$3726 B 3726
1	0150	A	Deputy Chief of Fire Dept.....	3134 B 3134
1003	H2	A	Firefighter.....	1196 B 1385
20	H4	A	Inspector, Bureau of Fire Prevention and Public Safety.....	1657 B 1657
10	H6	R	Investigator, Bureau of Fire Investigation.....	1657 B 1657
1	H6	A	Investigator, Bureau of Fire Investigation.....	1657 B 1657
56	H10	A	Chief's Operator-(Fire Dept).....	1507 B 1507
1	H18	A	Coordinator of Community Service.....	1605 B 1605
201	H20	A	Lieutentant-(Fire Dept).....	1606 B 1606
4	H22	A	Lieutentant- Bureau of Fire Prevention & Public Safety.....	1815 B 1815
1	H24	A	Lieutentant- Bureau of Fire Investigation.....	1815 B 1815
76	H30	A	Captain- (Fire Dept).....	1835 B 1835

FILE NO. 80-87-1 ORDINANCE NO. 103-87

(PUBLIC TRANSPORTATION)

APPROVING AGREEMENT BETWEEN CITY AND COUNTY OF SAN FRANCISCO, THROUGH ITS PUBLIC UTILITIES COMMISSION, AND SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT FOR PAYMENT FOR TRANSFER TRIPS.

Be It Ordained by the People of the City and County of San Francisco:

Section 1. Pursuant to section 3.502 of the Charter, the Board of Supervisors hereby approves the Agreement for payment for transfer trips by and between the City and County of San Francisco, through its Public Utilities Commission, and San Francisco Bay Area Rapid Transit District; and approved by Public Utilities Commission Resolution No. 87-0031, adopted January 27, 1987; a copy of which Agreement is contained in Board of Supervisors' file number 80-87-1.

APPROVED AS TO FORM

LOUISE H. RENNE
City Attorney

GEORGE E. KRUEGER
Utilities General Counsel

By Robin Reitzes Manion
ROBIN REITZES MANION
Deputy City Attorney

0221P

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 16, 1987	March 23, 1987
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Maher Silver Walker	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Nelder Silver Walker Ward
Absent: Supervisors Molinari Nelder Ward	Absent: Supervisors Britt Molinari

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
80-87-1

APR 3 1987
Date Approved

Mayor

FILE NO. 101-86-52

BOARD OF SUPERVISORS
SAN FRANCISCO
1987 JAN -8 PM 1:39
BY

ORDINANCE NO. 104-87

RO #6675 SA #58

(Government Funding)

APPROPRIATING $375,000 FOR PROGRAM PROJECT BUDGET (PLEASANTON PROPERTY PLAN DEVELOPMENT) WATER DEPARTMENT FOR FISCAL YEAR 1986-87; SUBJECT OF PREVIOUS BUDGETARY DENIAL.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1986-87 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
32-001	Water Department Operating Fund		
GL 490 (024018)	Unappropriated Revenue	$375,000	
47-00-00	Water Department		
20-2010 (387225)	Program Project Budget		
Proj. 125-01	Pleasanton Property Plan Development		$375,000
	Total	$375,000	$375,000

Section 2: This ordinance is hereby adopted by a two-thirds vote of all members of the Board of Supervisors pursuant to the provisions of Section 6.306 of the charter.

This item was previously requested by budget estimate and denied by the Mayor.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
[signature]
CONTROLLER

JAN 07 1987

RECOMMENDED:
[signature]
for MAYOR

ac(#0721P-5)

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 9th, 1987	March 23, 1987
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Molinari Silver Walker Ward	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Nelder Silver Walker Ward
Absent: Supervisors Maher Nelder	Absent: Supervisors Britt Molinari

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Clerk

File No.
101-86-52

APR 3 1987
Date Approved

[signature]
Mayor

AS AMENDED IN COMMITTEE
3/10/87

FILE NO. 97-87-10 ORDINANCE NO. 105-87

[Regular Meetings of the Board of Supervisors]
AMENDING CHAPTER 2, ARTICLE II, OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY REPEALING SECTION 2.7 REGARDING THE REGULAR MEETINGS OF THE BOARD OF SUPERVIORS.

Note: There are no additions or substitutions; one section is being repealed.

Be It ordained by the People of the City and County of San Francisco:

Section 1. Chapter 2, Article II, of the San Francisco Administrative Code is hereby amended by repealing Section 2.7 thereof, to read as follows:

SEC. 2.7 REGULAR MEETINGS is hereby repealed.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: _____
Deputy City Attorney

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
March 16, 1987	§	March 23, 1987
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Maher Silver Walker	§	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Nelder Silver Walker Ward
Absent: Supervisors Molinari Nelder Ward	§	Absent: Supervisors Britt Molinari

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
97-87-10

APR 3 1987

FILE NO. 121-86-12.2 ORDINANCE NO. 106-87

ERRATA

Page 23 replaced with legible printing.

John L. Taylor
Clerk of the Board

April 29, 1987

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AS AMENDED BY BOARD 3/23/87

FILE NO. 121-86-12.2

ORDINANCE NO. 106-87

[Regulation of Solicitations for Charitable Purposes]
AMENDING PART II, CHAPTER VIII OF THE SAN FRANCISCO MUNICIPAL CODE (POLICE CODE) BY AMENDING ARTICLE 9.6 THEREOF RELATING TO THE REGULATION OF THE SOLICITATION OF CONTRIBUTIONS FOR CHARITABLE PURPOSES.

Be it ordained by the People of the City and County of San Francisco:

Note: Additions are indicated by underlining; deletions are indicated by ((double parentheses)).

Section 1. Part II, Chapter VIII, Article 9.6 of the San Francisco Municipal Code (Police Code) is hereby amended to read as follows:

ARTICLE 9.6

REGULATIONS FOR SOLICITATION FOR CHARITABLE PURPOSES

SEC. 660. FINDINGS AND PURPOSE.

(a) The primary purpose of the public streets and sidewalks is for use by vehicular and pedestrian traffic; however, state and federal courts have determined that sidewalks are also traditional public fora for the exchange of ideas and views protected by our federal and state constitutions.

(b) The sale of goods, products and services with its corresponding inquiry regarding the quality and price of goods, bartering over that price, and exchange of goods, products and services for consideration, by its nature has created greater problems with regard to the use of the public sidewalk than the traditional solicitation of contributions by charitable organizations. In particular, the unregulated sale of goods, products and services on the public sidewalks by charitable organizations and persons soliciting by sales on behalf of charitable organizations

has caused congestion and potential use of force that threatens the safety of pedestrians attempting to use the sidewalks and public transit for their primary purpose. It has also interfered with pedestrian access to private residences, Municipal Railway, cable car and bus zones, and places of business. One of the primary causes of these problems is the sales activities on the public sidewalks of commercial enterprises who represent that part of their profits will go to a charitable organization. ((This problem has become particularly critical in the Fisherman's Wharf area.))

(c) Reasonable regulation of sidewalk solicitation is necessary to protect the public safety, health, and welfare.

(d) The City has sought to address the problems created by the unregulated sales activities of charitable solicitors by means less restrictive than those set out in this legislation. These less restrictive measures have failed to alleviate adequately the problems caused by the sales activities of charitable organizations.

(e) The San Francisco Street Artists Program, established by a mandate of the people of the City and County of San Francisco with the adoption of Proposition L on November 4, 1975, is an essential component of this City's effort to support the work of its resident artisans. Permitting the sale of merchandise in spaces designated as Street Artists spaces by persons other than Street Artists tends to confuse the public regarding the nature of the products sold and adversely affects the credibility of the Street Artists Program.

(f) The City and County of San Francisco has a duty to

BOARD OF SUPERVISORS

safeguard its citizens from fraudulent solicitors. Like other communities, San Francisco has traditionally been plagued with persons defrauding its citizens by falsely representing that they are soliciting contributions for charitable purposes. The most effective method for protecting citizens from fraudulent solicitors is to require full disclosure to the public of information regarding the operations and purposes of persons soliciting for charitable purposes and to ensure that the information disclosed is truthful.

SEC. 660.1. DEFINITIONS. Whenever used in this Article unless a different meaning clearly appears from the context:

(a) "Association" shall mean any unincorporated organization or group of individuals sharing a common purpose or common purposes.

(b) "Charitable Organization" shall mean and include any person who, or any nonprofit community organization, fraternal, benevolent, educational, philanthropic, or service organization, or governmental employee organization which, solicits or obtains contributions solicited from the public for charitable purposes or holds any assets solely for charitable purposes.

(c)(1) "Charitable Purpose" shall mean religious, charitable, scientific, testing for public safety, literary, educational, or for the prevention of cruelty to children or animals, and all other purposes recognized as charitable under common law.

(c)(2) "Charitable Purpose" shall not be construed to include the direct benefit of the person making the solicitation.

(d) "Contributions" shall mean and include the words alms, food, clothing, money, subscription or property. "Contributions" shall also mean donations under the guise of a loan of money or property.

(e) "Department" shall mean the San Francisco Police Department.

(f) "Person" shall mean any individual, partnership, corporation, or association.

(((g) "Promoter" shall mean any person who for pecuniary compensation or consideration received, or to be received, solicits or is engaged in the business of or holds himself or herself out to the public as engaged in the business of soliciting contributions for a charitable purpose for or on behalf of any charitable organization or conducts, manages or carries on or is engaged in the business of or holds himself or herself out as engaged in the business of conducting, managing, or carrying on any drive or campaign for any such purpose. Pecuniary compensation shall include, but shall not be limited to, participation on a percentage basis in any fund solicited or raised, for or on behalf of any charitable organization; provided that no person who is a bona fide paid officer or employee of, or volunteer for, a charitable organization who has obtained a Certificate of Registration as hereinafter provided shall be considered a promoter within the meaning of this Article, and further provided that, for purposes of this Article, the term "promoter" shall apply only to persons who engage themselves in the activity defined herein on the streets, sidewalks, parks or other property under the control of the City and County of San

Francisco.))

(((h))) (g) "Public Sidewalks" shall mean all improved sidewalks owned or under the control of the the City and County of San Francisco.

(((i))) (h) "Solicit," "solicitation," and "solicitation for a charitable purpose," shall mean any request, plea, entreaty, demand, or invitation, or attempt thereof, to give money or property, which occurs on the streets, sidewalks, or parks or other property under the control of the City and County of San Francisco in connection with which:

(1) Any appeal is made for charitable purposes; or

(2) The name of any charity, philanthropic or charitable organization is used or referred to in any such appeal as an inducement for making any such gift; or

(3) Any statement is made to the effect that such gift or any part hereof will go to or be used for any charitable purpose or organization.

(((j))) (i) "Sales solicitation for a charitable purpose" shall mean the sale of, offer to sell, or attempt to sell, or the solicitation or receipt of money in exchange in whole or part for, any advertisement, advertising space, book, card, chance, coupon device, magazine subscription, membership, merchandise, ticket or admission or any other thing or service, which occurs on the streets, sidewalks, parks or other property under the control of the City and County of San Francisco, in connection with which:

(1) Any appeal is made for charitable purposes; or

(2) The name of any charity, philanthropic or

such appeal as an inducement for making any such sale; or

(3) Any statement is made to the effect that the whole or any part of the proceeds from such sale will go to or be used for any charitable purpose or organization.

(((k))) (j) "Agent" shall mean any person authorized by any other person or organization to transact some business, manage some affair, or perform any other act, on behalf of that person or organization.

660.2. UNLAWFUL SOLICITATION.

(a) No charitable organization may solicit, directly or through an agent or employee ((or promoter)), any contribution for any charitable purpose or conduct any sales solicitation for charitable purposes activity on the streets, sidewalks, parks or other property under the control of the City and County of San Francisco ((within the City and County of San Francisco)), unless, prior to each 180 day period during which solicitations for contributions will be conducted, such charitable organization shall have first obtained a Certificate of Registration from the Chief of Police or his or her designate, as hereinafter provided, or has received a receipt from the Department indicating that the organization has filed a Statement of Registration and is authorized to solicit pending issuance by the Department of a Certificate of Registration.

(b) No individual, as agent or employee ((or promoter)) of another, may solicit contributions for a charitable purpose on the streets, sidewalks, parks or other property under the control of the City and County of San Francisco

unless the charitable organization on whose behalf the individual is soliciting has received a Certificate of Registration or has received a receipt from the Department indicating that the organization has filed a Statement of Registration and is authorized to solicit pending issuance by the Department of a Certificate of Registration.

(c) No individual may engage in sales solicitation for a charitable purpose on the streets, sidewalks, parks or other property under the control of the City and County of San Francisco without visibly displaying an identification card issued to that individual by the Chief of Police or his or her designate as hereinafter provided. This provision shall not be enforced with respect to a charitable organization during the period after the organization has obtained a receipt indicating that the organization has filed a Statement of Registration and before the issuance to the organization of a Certificate of Registration.

(d) (1) No individual may solicit for a charitable purpose or engage in sales solicitation for a charitable purpose on the streets, sidewalks, parks or other property under the control of the City and County of San Francisco, unless the solicitor shall clearly and visibly display and have available for distribution to the prospective donor or purchaser a card entitled "Solicitation for Charitable Purposes Card." The card shall be of a size to be prescribed by the Chief of Police or his or her designate, signed and dated under penalty of perjury by an individual who is a principal or officer of the charitable organization on whose behalf the solicitation is made.

The information on the card shall be printed in at least 10-point type and shall include the following:

(((a))) (A) The name and address of the charitable organization on whose behalf the money will be collected.

(((b))) (B) The name of the individual soliciting on behalf of the charitable organization.

(((c))) (C) The number of the Certificate of Registration issued to the organization by the Chief of Police.

(((d))) (D) If there is no charitable organization, the manner in which the money collected will be utilized for charitable purposes.

(((e))) (E) The percentage of the purchase price that will be used for charitable purposes.

(((f) If promoters are paid a set fee rather than a percentage of the total amount raised, the card shall show the total cost that is estimated will be used for such promoters, and the name and business address of the employer of any promoter who is doing the actual soliciting.))

(((g))) (F) If the solicitation is not a sale solicitation, the card may state, in place of the amount of fundraising expenses, that an audited financial statement of such expenses may be obtained by contacting the organization at the address disclosed.

(((h))) (G) Whether the charitable organization on whose behalf the solicitation is made is tax exempt under state and federal law.

(((i))) (H) The percentage of the total gift or purchase price which may be deducted as a charitable

contribution under both federal and state law. If no portion is so deductible the card shall state that "This contribution is not tax deductible."

(((j))) (I) If the charitable organization making the solicitation represents any nongovernmental organization by any name which includes, but is not limited to, the term, "officer," "peace officer," "police," "law enforcement," "reserve officer," "deputy," or "deputy sheriff," which would reasonably be understood to imply that the organization is composed of law enforcement personnel, the solicitor shall give the total number of members in the organization and the number of members working or living within the county where the solicitation is being made, and if the solicitation is for advertising, the statewide circulation of the publication in which the solicited ad will appear.

(d) (2) Any person engaged in sales solicitation for a charitable purpose by means of selling goods, products or services from a stationary display on the streets or sidewalks or other places held open to the public shall, in addition to the requirements of section (d)(1), display a sign which shall contain the name and address of the person on whose behalf the charitable solicitation is being made, the purpose of the solicitation, whether the organization is tax exempt under state or federal law, and the percentage of the money collected that will be utilized for charitable purposes. The sign shall be 2 feet by 2 feet square and shall be printed in black 36 point bold face print on a

(d)(3) A volunteer who receives no compensation of any type from, or in connection with, a solicitation for a charitable organization which has qualified for a tax exemption under Section 501(c)(3) of the Internal Revenue Code of 1954, as amended, and who is 15 years of age or younger, is not required to make any disclosures pursuant to this section.

(d)(4) When the solicitation is not a sales solicitation, any individual volunteer who receives no compensation of any type from, or in connection with, a solicitation by any charitable organization may comply with the disclosure provisions of Section 660.2(d)(1) by providing in writing the name and address of the charitable organization on behalf of which all or any part of the money collected will be utilized for charitable purposes, the charitable purposes for which the solicitation is made and that the information about revenues and expenses of such organization, including its administration and fundraising costs, may be obtained by contacting the organization's office at the address disclosed. Such organization shall provide such information to the person solicited immediately upon receipt of the request.

(e) No person, other than the Chief of Police or his or her designate, may alter an identification card or certificate of registration.

(f) No person may engage in a sales solicitation for charitable purposes while displaying an identification card issued by the Chief of Police or his or her

designate in the name of another individual.

(g) No person may solicit for charitable purposes or engage in sales solicitations for charitable purposes from any vehicle.

(((h) No promoter shall solicit contributions by means of the sale of goods, wares or merchandise, or any article, material or substance, of whatsoever kind, unless the promoter, in addition to complying with the provisions of this Article, obtains the appropriate peddling or vending permit as provided for in the Charter, Municipal Code, or Administrative Code of the City and County of San Francisco, including but not limited to Section 869 of Article 13 of the San Francisco Police Code, Section 2400 of Article 24 of the San Francisco Police Code, or Section 1330.1 of Article 17.3 of the San Francisco Police Code. A promoter receiving a peddling or vending permit shall be subject to any health, safety, or welfare provision applicable to other persons peddling or vending pursuant to such a permit, including, but not limited to, the locational provisions.))

(((i))) (h) ((In areas within the City and County of San Francisco other than those areas described in subsection (1) of this section, and in Sec. 660.2-1, below, no)) No person may engage in sales solicitations for charitable purposes by means of selling goods, products, services or merchandise on the public sidewalks:

(1) within five feet of any of the following:

(a) a person already soliciting pursuant to a

Certificate of Registration issued under this Article.

(b) a space designated by the Public Works Department of the City and County of San Francisco as a street artist space pursuant to Article 24 of the San Francisco Police Code. For the purposes of this subsection, the five feet shall be measured from the outer edges of the street artist space in each direction parallel to the building side of the space and thence at a 90-degree angle to the curbside and building side of the sidewalk.

(c) a person peddling goods, products or services pursuant to a permit issued under Article 17.3 or Article 13 of the San Francisco Police Code, Article 5 of the San Francisco Public Works Code, or any other provision of the San Francisco Charter or San Francisco Municipal Code.

(d) a crosswalk.

(e) a fire hydrant.

(f) the end of a fire escape.

(2) within ten feet from the outer edge of any entrance to any building, including, but not limited to, doors, driveways, emergency exits measured in each direction parallel to the building line and thence at a 90-degree angle to the curb.

(3) within 18 inches of the curb line of a sidewalk or more than 4 1/2 feet from the curb line of a sidewalk or, in the alternative, within 18 inches of abutting property line or more than 4 1/2 feet from the abutting property line, provided in the latter case that the solicitor's activities may not be conducted within 12 inches of a

window of any building, measured in each direction parallel to the building line and thence at a 90-degree angle from the building to a point 4 1/2 feet from the abutting property line, and further provided that in the latter case the solicitor's activities may not be conducted where those activities will obstruct the name, address, or other merchant or commercial message appearing on any building. ((to the curb.))

(4) in a space more than four feet long or five feet high. The height of the person or persons conducting the sales solicitation shall not be considered in determining compliance with this subsection.

(5) on the street side of any sidewalk adjacent to a curb that has been designated pursuant to ordinance or regulation as a ((red,)) bus zone or a white, blue, green, or yellow zone.

(((6) between the hours of 12:00 a.m. (midnight) and 6:00 a.m. of the following day.))

(((7))) (6) if, due to such solicitation for sales on a public sidewalk, there remains open for the passage of pedestrians a space of less than 6 feet in width, as measured on a line perpendicular to the curb line, from the edge of the solicitor's activities to the edge of the sidewalk or the edge of the building farthest from the edge of those activities. No portion of the area occupied by the solicitor for its activities shall be included in measuring the 6 foot space. If there are located on a particular side of a block two or more spaces that meet all other time, place and manner restrictions set out in this section and leave available for pedestrian passage a space

more than 6 feet in width, the solicitor shall conduct his or her sales solicitation in that space that leaves available for pedestrian travel the maximum amount of sidewalk width.

((j)) (i) No person shall directly or indirectly solicit contributions for any purpose by misrepresentation of his or her name, occupation, financial condition, exemption status, or residence, and no person shall make or perpetrate any other misstatement, deception, or fraud in connection with any solicitation of any contribution for any purpose in the City and County of San Francisco or in any Statement of Registration or report filed under this Article.

(((k) No charitable organization shall solicit or cause or permit to be made any solicitation or sales solicitation within the City and County of San Francisco while the Certificate of Registration issued to the charitable organization is revoked.))

(((l))) (j) No person may engage in sales solicitations for charitable purposes by means of selling clothing, jewelry, or any other goods, products, services or merchandise in any area of the City and County of San Francisco ((zoned pursuant to the San Francisco Planning Code as an "RH" or "RM" district or in that area of the City and County of San Francisco bounded by and including both sides of Van Ness Avenue from Francisco Street to the Bay of San Francisco on the west, both sides of Francisco Street from Van Ness Avenue to the Bay of San Francisco on the south, and the Bay of San Francisco between Van Ness Avenue and Francisco Street on the north and east)) unless

that person obtains the appropriate peddling permit pursuant to Article 13, 17.3 or 24 of the San Francisco Police Code. This section shall not apply to the sale of books, pamphlets, buttons, bumperstickers, posters or any other type of item that has no intrinsic value or purpose other than to communicate a message. ((In the event the enforcement of this subsection is restrained or enjoined in that area of the City and County of San Francisco bounded by and including both sides of Van Ness Avenue from Francisco Street to the Bay of San Francisco on the west, both sides of Francisco Street from Van Ness Avenue to the Bay of San Francisco on the south, and the Bay of San Francisco between Van Ness Avenue and Francisco Street on the north and east, the regulations specified in subsection (m) of this section shall apply to that area.))

(((m) In that area of the City and County of San Francisco subject to the lottery conducted pursuant to Section 660.2-1 of this Article, no person may conduct sales solicitations for charitable purposes except in those spaces designated by the Director of Public Works or his <u>or</u> her designate pursuant to Section 660.2-2 of this Article, nor shall any person conduct sales solicitations in such a space without having first obtained a document from the Director of Public Works indicating that the solicitor has been chosen for the space pursuant to the lottery conducted under Section 660.2-1 of this Article.))

((SEC. 660.2-1. LOTTERY))

(((a) The Director of Public Works shall establish and supervise a fair and equitable lottery system under which

those persons having obtained a Certificate of Registration pursuant to Section 660.4 of this Article and desiring to engage in sales solicitations for charitable purposes in that area subject to the lottery shall be authorized by lot to vie for specified available solicitation spaces as designated by the Director of Public Works pursuant to Section 660.2-2 of this Article.))

(((b) It is the purpose of this ordinance that all charitable organizations have an equal opportunity to participate in the lottery. To that end, the Director of Public Works shall not allot to a charitable organization participating in the lottery a second solicitation space until all those charitable organizations participating in the lottery have been allotted a solicitation space. Further, the Director of Public Works may adopt rules and regulations to implement this section which may include regulations prohibiting an individual or group of individuals acting as a paid representative of more than one charitable organization from participating more than once in any single round of the lottery, thereby obtaining an unfair advantage over the other participants in the lottery.))

(((c) The area subject to lottery shall be the area bounded by and including both sides of Market Street between Van Ness Avenue and the Bay of San Francisco on the south, both sides of Van Ness Avenue between Market Street and the Bay of San Francisco on the west, and the Bay of San Francisco on the north and east, excluding the areas in which sales solicitations for charitable purposes are prohibited pursuant to Sec. 660.2 (1) of this Article.))

(((d) The Director of Public Works shall specify one day in each week for the holding of a lottery for allotting solicitation spaces to those charitable organizations seeking to engage in sales solicitations for charitable purposes in the area subject to the lottery. The spaces allotted under this section shall be allotted for a period of one week.))

(((e) The Director of Public Works may make such reasonable rules and regulations as are necessary to effectuate the lottery.))

(((f) The Director of Public Works shall design and distribute to those chosen in the lottery a document identifying the charitable organization chosen and the location where the charitable organization chosen will be allowed to engage in sales solicitations for charitable purposes for the following week.))

(((g) The lottery document shall be in the possession of the solicitor at all times and shall be displayed to a police officer upon request.)))

((SEC. 660.2-2 DESIGNATION OF SPACES))

(((a) Subject to the proviso set out in subsection (c) of this section, the Director of Public Works, following notice to the public in the affected area of his or her intention to designate spaces and inviting public comment on said designations, shall cause to be drawn on the sidewalks in the area subject to the lottery described in Section 660.2-1 lines designating the spaces in which persons may engage in sales solicitations for charitable purposes. In designating these spaces, he or she shall designate one space per pair of sidewalks adjoining each

two block length of a street. A block length of the street shall be that area encompassed by street addresses within the same "100" group.))

(((b) To the extent feasible and subject to the one space per two block standard of subsection (a), the Director of Public Works shall not designate a space:

(1) within five feet of any of the following:

(a) a space designated by the Public Works Department of the City and County of San Francisco as a street artist space pursuant to Article 24 of the San Francisco Police Code.

(c) a person peddling goods pursuant to a permit issued under Article 17.3 or Article 13 of the San Francisco Police Code.

(d) a crosswalk.

(e) a fire hydrant.

(f) the end of a fire escape.

(2) within ten feet from the outer edge of any entrance to any building, including, but not limited to, doors, driveways, emergency exits measured in each direction parallel to the building line and thence at a 90-degree angle to the curb.

(3) within 18 inches of the curb line of a sidewalk or more than 4 1/2 feet from the curb line of a sidewalk

(4) more than four feet long.

(5) on any sidewalk adjacent to a curb that has been designated pursuant to ordinance or regulation as a red zone, yellow, blue, green, or white zone.

(6) if, due to such designation, there remains open for the passage of pedestrians a space of less than 6

feet in width, as measured on a line perpendicular to the curb line, from the edge of the space to the edge of the sidewalk or the edge of the building farthest from the edge of those activities. No portion of the space shall be included in measuring the 6 foot space.))

(((c) The Director of Public Works, in designating spaces pursuant to subsection (a) of this section shall designate spaces only in those sections of the area subject to the lottery where there has been a demonstrated demand for space for sales solicitations activities or in those block lengths in which a charitable organization requests that a space be designated.))

SEC. 660.3 STATEMENT OF REGISTRATION. All charitable organizations desiring to solicit funds for charitable purposes in the City and County of San Francisco shall file with the Chief of Police or his or her designate a written Statement of Registration, which Statement shall contain complete information as follows:

(a) The name of the charitable organization registering to solicit funds for charitable purposes.

(b) The purpose of the solicitation and use of the contribution to be solicited.

(c) Whether the charitable organization registering is a natural person, partnership, corporation or association and,

(1) If a natural person, the person's business or residence address and telephone number.

(2) If a partnership, the name of all the partners and principal business address and telephone number of each partner.

(3) If a corporation, whether it is organized under the laws of California or is a foreign corporation, the mailing address, business location, and telephone number, name of the individual in charge of the San Francisco office of the corporation, and the names of all officers and directors or trustees of said corporation, and if a foreign corporation, the place of incorporation.

(4) If an association, the association's principal business address and telephone number, if any, and the names and principal business or residence addresses and telephone numbers of the officers and directors or trustees of the association. If the association is part of a multi-state organization or association, the mailing address and business location of its central office and the mailing address and business location of its local office.

(d) A description of the methods and means by which the solicitation of funds is to be accomplished, including whether solicitations will be accomplished by the sale of any item.

(((e) What portion of the contributions collected as a result of the solicitation will remain available for application to the specific purposes declared in the Statement of Registration.))

(((f))) <u>(e)</u> A financial statement of all revenues and contributions collected by or received by such charitable organization or association within the City and County of San Francisco within the 180 day period immediately preceding the filing of such Statement of Registration, the

with the names and addresses of all persons or associations receiving salaries, wages, compensation, commissions or emoluments from such contributions, and the respective amounts thereof. A charitable organization may comply with the requirements of this subsection by submitting every 180 days a completed Federal Tax Form 990.

(((g))) (f) If the charitable organization is a corporation, partnership, or association, a copy of the resolution or other document issued in compliance with the bylaws or internal rules of any organization authorizing such solicitation and authorizing a particular individual to apply for the Certificate of Registration certified to as a true and correct copy of the original of such resolution by the officer of such association having charge of the records thereof.

(((h))) (g) A statement that the signers of such Statement of Registration have read and are familiar with the provisions of this Article and will require all persons authorized to engage in such solicitation to read and be familiar with all sections of this Article prior to making any such solicitation.

(((i) The time during which the solicitation shall be made, giving the proposed dates for the beginning and ending of such solicitation, or if the solicitation is to be ongoing, that fact.))

(((j))) (h) A projected schedule of salaries, fees, commissions, expenses and costs to be expended and paid in connection with the solicitation of funds or in connection with their disbursement, ((and)) an estimated percentage of

solicitation will comprise and what portion of the contributions collected as a result of the solicitation will remain available for application to the specific purposes declared in the Statement of Registration.

(((k))) (i) The names, business mailing addresses and telephone numbers of all individuals who will be in direct charge or control of the solicitation and disbursement of funds.

(((l) The names, business mailing addresses and telephone numbers of all individuals authorized to disburse the proceeds of the solicitation.))

(((m))) (j) A statement to the effect that if a Certificate of Registration is granted, such Certificate will not be used as or represented to be an endorsement by the City or any of its officers or employees.

(((n))) (k) The names of any officer, director, trustee, partner, or any current agent or employee engaging in the solicitation of funds who has been convicted of any felony within the past seven years, the nature of the offense, the state where the conviction occurred, and the year of the conviction.

(((o))) (l) Whether the applicant has received tax exempt status from either the State of California or the United States, or both, and a copy of its current tax exempt determination letter, if any.

(((p) Any restriction on the disbursal of the monies collected by reason of age, sex, sexual orientation, ethnic background, or geographical location of potential recipients.))

Statement of Registration, ((the Chief of Police or his or her designate shall)) either issue a Certificate of Registration or notify the person registering that the Statement of Registration does not comply with the requirements of Section 660.3 above and specifying what information has not been furnished. Upon receipt of that additional information, the Chief of Police or his or her designate shall, within 5 working days of the receipt of the revised Statement, issue a Certificate of Registration.

(((b) The Chief of Police shall not issue a Certificate of Registration if the Chief of Police:

(1) Finds, after a noticed hearing conducted pursuant to Section 660.11, that the Statement of Registration contains a material misstatement of fact, which material misstatement was known to the person filing the application, or

(2) Has suspended the registrant's right to apply for, or solicit under, a Certificate of Registration pursuant to Section 660.11 of this Article.

(3) After notifying the registrant of what information has not been furnished, the Chief of Police fails to receive the additional information.))

(((c) The Chief of Police or his or her designate shall issue the Certificate of Registration or notify the registrant of the information that has not been furnished in less than 10 days if the registrant files with the Chief of Police ((a)) <u>an</u> affidavit signed under penalty of perjury describing specific, sudden, unexpected circumstances, and declaring that due to those sudden,

unexpected circumstances, application of the 10 day rule would deprive the registrant of necessary, immediate access to the public for solicitation related to the sudden, unexpected circumstances.))

(((d)) <u>(c)</u> Any charitable organization that has obtained a Certificate of Registration prior to the <u>most recent</u> amendment of this Article need not file a Statement of Registration under this amended Article until the expiration date specified on that Certificate of Registration.

SEC. 660.5 CHANGE IN FACT, POLICY OR METHOD. If, while any Statement of Registration is pending, or during the term of any Certificate of Registration granted thereon, there is any change in fact, policy, or method that would materially alter the information given in the Statement of Registration, the registrant shall notify the Chief of Police or his or her designate in writing thereof within 48 hours after such change. Such notice shall specifically indicate what section of the Statement of Registration is affected by the change, in what manner the information in that section has been changed, and include the fee for amendments to Statements of Registration set by the Police Commission.

SEC. 660.6 CERTIFICATE OF REGISTRATION NON-TRANSFERABLE -- RETURN OF UPON EXPIRATION. Any Certificate of Registration issued under this Article shall be non-transferable and shall be returned to the Chief of Police or his or her designate within five days of its date of expiration.

SEC. 660.7 REGISTRATION FEE. The Police Commission shall, within 180 days of the effective date of this Article as amended, set the fees for registration and amendments to Statements and

cards, required under this Article. These fees shall be based on the costs of issuing and amending the Certificates of Registration and identification cards and conducting the lottery provided for in this Article. The Chief of Police or his or her designate shall waive these fees if the registrant files with the Chief of Police an affidavit signed under penalty of perjury declaring that the registrant's inability to pay the fees would prevent the registrant from soliciting contributions for a charitable purpose. Pending determination of these fees by the Police Commission, every Statement of Registration shall be accompanied by a registration fee of thirty dollars ($30) for solicitations or fifty dollars ($50) for sales solicitations to defray the costs incurred by the City and County of San Francisco in administering the provisions of this Article. Fees collected under this section shall be used exclusively for administering the provisions of this Article.

SEC. 660.8 SOLICITORS' IDENTIFICATION CARDS AND LISTS OF SOLICITORS. Consistent with the standards and purposes of this Article, the Chief of Police or his or her designate shall create identification cards for persons engaged in sales solicitations for charitable purposes. Each such identification card shall be laminated and shall bear the name and residence or business address of the charitable organization registering, a recent photograph of the solicitor, to be supplied by the charitable organization registering and to be of a size prescribed by the Chief of Police or his or her designate, the registration number, the name and signature of the solicitor or agent, the expiration date of the Certificate of Registration, ((if the solicitor is a promoter or agent or employee of a promoter, that fact,)) and it

identification card is not an endorsement of the solicitation by the City and County of San Francisco or any of its officers or employees." The name of the organization, photograph of the individual and statement of non-endorsement shall appear on the front of the card with the remaining information appearing on the back of the card. This card shall be prepared and laminated by the Chief of Police or his or her designate or, at the election of the charitable organization, by the charitable organization on pre-numbered cards supplied by the Department.

The Chief of Police or his or her designate shall issue up to five (5) identification cards with the Certificate of Registration without any additional charge. The registrant may obtain additional identification cards by paying to the City its actual cost as established by resolution of the Police Commission.

With respect to sales solicitations, the charitable organization registering shall maintain on its premises or the premises of a designated agent of the organization or, in the alternative, shall provide to the Department, a list of the names, addresses, identification card number, and dates of birth of all agents and employees ((for)) to whom identification cards are ((desired)) issued. With respect to nonsales solicitations, the charitable organization registering shall maintain on its premises or the premises of a designated agent of the organization or, in the alternative, shall provide to the Department, a list of the names of all agents and employees authorized to solicit on behalf of the organization. Where lists required under this section are maintained on the premises of the charitable organization, the charitable organization shall make

such lists available to members of the Department upon request.

SEC. 660.9 WRITTEN RECEIPTS REQUIRED. Any person receiving money or anything having a value of $5.00 or more from any contributor under a solicitation or sales solicitation for a charitable purpose made pursuant to a Certificate of Registration granted under this Article, or any person receiving money or anything having a value of less ((that)) than $5.00 from any contributor under a solicitation or sales solicitation for charitable purposes made pursuant to a Certificate of Registration granted under this Article when the contributor so requests, shall give to the contributor at the time the contribution is received a written sequentially numbered receipt signed by the solicitor showing plainly the name and Certificate of Registration number of the charitable organization for which the solicitation is conducted, the Internal Revenue Service and California Franchise Tax Board tax exempt identification numbers, if any, the date and the amount received, and whether the contribution, or what part thereof, is tax deductible; provided, however, that where a solicitation is made and a donation is received for a ticket of admission to an event held specifically to raise money or any other thing of value for charitable purposes, such ticket, when retained by the contributor, shall constitute a valid receipt if it contains the name and Certificate of Registration number, the person for whom the solicitation is conducted, the date and location of the event, and the amount received. This section shall not apply to any contributions collected by means of a sealed or locked box or receptacle which shall have permanently imprinted on it the name of the Certificate of Registration holder used in solicitation with the written approval of the

Chief of Police or his or her designate, where it is impractical to determine the amount of such contributions.

((SEC. 660.10 SOLICITATION -- BOXES -- RECEPTACLES.

(a) Notwithstanding Sec. 660.2, no charitable organization may solicit any contribution for any purpose by means of any unattended box or receptacle, upon any public street, sidewalk, or way, or in any public park or in a publicly owned or controlled place, except by express written permission of the Chief of Police or his or her designate. Prior to giving such permission, the applicant shall furnish the Department with a written statement from the appropriate City department having jurisdiction over the area in question indicating that there is no objection to the granting of such permission. The Chief of Police shall grant such permission unless he or she makes a written finding supported by objective facts that the solicitation would work a fraud upon the citizens of San Francisco or would endanger the public safety. The Chief of Police shall grant or deny permission within 20 working days of the application for such permission. The denial of permission by the Chief of Police shall be appealable by the applicant to the Board of Permit Appeals of the City and County of San Francisco.

(b) Notwithstanding Sec. 660.2, no charitable organization shall solicit for any charitable contribution, or any contribution for any real or purported charitable purpose, by means of any unattended box or receptacle in any place immediately abutting upon any public sidewalk or way, or in any place of business open to the public, or in any room, hallway, corridor, lobby, or entrance way, or

public place, without first obtaining written permission from the owner, manager, or other person having control over the area where the receptacle or boxes are to be placed.))

((SEC. 660.11 REVOCATION OR SUSPENSION OF CERTIFICATE OF REGISTRATION. Whenever it shall be shown, or whenever the Chief of Police or his or her designate has knowledge that any registrant has filed with the Department a Statement of Registration that contains a misstatement of fact known to the registrant or that a charitable organization to whom a Certificate of Registration has been issued under this Article has violated any of the provisions of this Article, or that an employee or agent of a charitable organization to whom a Certificate of Registration has been issued has violated any provision of this Article and the charitable organization has failed to adequately supervise the employee or agent, the Chief of Police or his or her designate shall give the Certificate of Registration holder written notice by registered mail, return receipt requested, of a hearing to be held to determine whether the Certificate of Registration should not be issued or, should be revoked or suspended. This notice must contain a statement of the facts upon which the Chief of Police or his or her designate bases his or her contention that the Registration Statement contained a false statement known by the registrant or that any provision of this Article has been violated. At the hearing the registrant or Certificate of Registration holder, and any other interested person, shall have the right to present evidence as to the facts upon which the Chief of Police or his or her designate based the contention, and any other facts which may aid the Chief

contained a false statement known to the registrant or that any provision of this Article has been violated. If, after such hearing, the Chief of Police or his or her designate finds that the Statement of Registration contained a false statement known to the registrant or that any provision of this Article has been violated, and, in the case of a violation by an employee or agent, that the charitable organization to whom a Certificate of Registration has been issued failed to adequately supervise the employee or agent, the Chief of Police shall within five working days after the hearing, file in his or her office for public inspection and serve upon the Certificate of Registration holder, and all interested persons participating in the hearing, a written statement of the facts upon which the Chief of Police bases such finding and shall not issue a Certificate of Registration or shall immediately revoke or suspend the Certificate of Registration, and suspend the right to apply for a Certificate of Registration for up to 120 days.

If, after such hearing the Chief of Police or his or her designate finds that Statement of Registration did not contain a false statement known to the registrant or that no provision of this Article has been violated, the Chief of Police shall within five days after the hearing issue to the registrant a Certificate of Registration or give to the Certificate of Registration holder a written statement stating that no violation was found to have been committed.))

SEC. ((660.12)) 660.11 FINANCIAL RECORDS. The financial records of a charitable organization on whose behalf soliciting for charitable purposes is conducted shall be maintained on the basis of generally accepted accounting principles as defined by

Financial Accounting Standards Board. The disclosure requirements of subsection (f) of Section 660.3 shall be based on the same accounting principles used to maintain the soliciting charitable organization's financial records.

((SEC. 660.13 APPEALS. If the Chief of Police or his or her designate shall not issue a Certificate of Registration or shall suspend or revoke a Certificate of Registration issued to a charitable organization, the charitable organization affected thereby may appeal to the Board of Permit Appeals of the City and County of San Francisco.))

SEC. ((660.14)) 660.12 PUBLIC DISCLOSURE. All registration and financial record statements filed with the Chief of Police or his or her designate shall be a public record and shall be available for inspection by members of the public during regular business hours and copies may be obtained at a charge to be determined by the Chief of Police or his or her designate.

SEC. ((660.15)) 660.13 EXCEPTIONS.

(a) The provisions of this Article shall not apply to:

(1) Any recruiting for volunteer services;

(2) Any solicitation made in the name of a person who has died, if the solicitation is made by members of the family of the person or the legal guardian of the deceased person;

(3) Any solicitation made by or on behalf of a non-profit organization to or among persons who are members thereof at the time of such solicitation, or a solicitation or solicitations made in the form of collections or contributions at regular assemblies or services of any such organization; and

(4) Any solicitation made by an employer to his employees, by an employee to his employer, or by an employee to other members of the same employee group where a common employer exists.

(5) Any solicitation made upon premises owned or occupied by the person on whose behalf such solicitation is made.

(6) Any solicitation in an area subject to a street closure approved by the San Francisco Board of Supervisors of the City and County of San Francisco approved pursuant to San Francisco Administrative Code Section 2.70 for street fairs or other public gatherings.

(b) Persons making solicitations on behalf of any political group or political organization that is subject to financial disclosure under state or federal law are not subject to the registration or financial disclosure provisions of this Article.

(c) The provisions of this ordinance pertaining to the sales activities of charitable organizations shall not apply to transactions where both (i) the item offered for sale is not sold from tables or other fixed locations and (ii) the item sold is only of token value or the item is sold by a volunteer under fourteen years of age and the sale price of the item is less than three dollars.

SEC. ((660.16)) 660.14 PENALTIES.

(a) Any person violating any of the provisions of this Article shall be guilty of an infraction and shall be punished by a fine not to be less than $50 nor to exceed $500.

(b) Any person who violates or proposes to violate any

court of competent jurisdiction. The court may make such orders or judgments, including the appointment of a receiver, as may be necessary to prevent the use or employment by any charitable organization or person of any practices which violate this Article, or which may be necessary to restore to any person any money or property, real or personal, which may have been acquired by means of any practice in this Article declared to be unlawful.

Actions for injunction under this section may be prosecuted by the Attorney General, the district attorney, or city attorney upon their own complaint or upon the complaint of any board, officer, person or by any person or charitable organization acting for the interests of itself, its members or the general public.

(c) Any person who intentionally violates any injunction issued pursuant to this section shall be liable for a civil penalty not to exceed $6,000 for each violation. Where the conduct constituting a violation is of a continuing nature, each day of such conduct is a separate and distinct violation. In determining the amount of the civil penalty, the court shall consider all relevant circumstances, including, but not limited to, the extent of harm caused by the conduct constituting a violation, the nature and persistence of such conduct, the length of time over which the conduct occurred, the assets, liabilities and net worth of the person, whether corporate or individual, and any corrective action taken by the defendant.

(d) If an action for violation of subsection (c) is

collected pursuant to this section shall be paid to the treasurer of the City and County of San Francisco, and one-half to the State Treasurer. If brought by a district attorney or City Attorney, the entire amount of the penalty collected shall be paid to the treasurer of the City and County of San Francisco.

(e) Any person who violates any provision of this Article shall be liable for a civil penalty not to exceed two thousand five hundred dollars ($2,500) for each violation, which shall be assessed and recovered in a civil action brought in the name of the people of the City and County of San Francisco by the Attorney General, the district attorney, or the city attorney in any court of competent jurisdiction.

(f) If an action for violation of subsection (e) is brought by the Attorney General, one-half of the penalty collected shall be paid to the treasurer of the City and County of San Francisco and one-half to the State Treasurer. If brought by the district attorney or the city attorney, the entire amount of the penalty collected shall be paid to the treasurer of the City and County of San Francisco.

SEC. ((660.17)) 660.15 CITY UNDERTAKING LIMITED TO PROMOTION OF GENERAL WELFARE. In undertaking the adoption and enforcement of this ordinance, the City and County is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

SEC. ((660.18)) 660.16 SEVERABILITY. If any part of the ordinance, or the application thereof, to any person, charitable organization or circumstance is held invalid by the final judgment of a court of competent jurisdiction, the remainder of this ordinance, including the application of such part or provision to other persons, charitable organizations or circumstances, shall not be affected thereby, and this ordinance shall otherwise continue in full force and effect and shall otherwise be fully operative. To this end, the provisions of this ordinance, and each of them, are hereby declared to be severable.

SEC. ((660.19)) 660.17 PREEMPTION. In adopting this Article, the Board of Supervisors recognizes that it may not preempt or supersede, nor does it intend to preempt or supersede, any state law or regulation related to the use of public sidewalks, including those related to obstruction of public sidewalks. Further, in adopting this legislation, the Board of Supervisors does not intend to repeal or amend any ordinance or regulation related to the use of the public sidewalks, including, but not limited to, Police Code sections 22 through 24, inclusive, related to the obstruction of public sidewalks.

Section 2. One year after the adoption of this ordinance by the Board of Supervisors of the City and County of San Francisco, the Chief of Police or his or her designate and the Director of Public Works and his or her designate shall make a report to the Board detailing what, if any, additions or modifications to the ordinance are needed to deal with the problems attending the solicitation of contributions by charitable organizations, or the inability of charitable

(((q) Whether the solicitation will be conducted by employees or volunteers of the charitable organization on whose behalf the solicitation is made or by a promoter. If the solicitation is to be made by a promoter, the name, business address, and phone number of the promoter.))

(((r))) (m) If the charitable organization is a corporation, partnership, or association, the Statement of Registration must be signed by the person authorized to apply for the Certificate of Registration by the resolution required in Section 660.3 (g) and, under penalty of perjury, declared to contain true and correct information. If the charitable organization is an individual, the Statement of Registration must be signed by that individual and, under penalty of perjury, declared to contain true and correct information.

(((s) Any other information deemed necessary by the Chief of Police to verify the accuracy of the information provided pursuant to this section.))

SEC. 660.4 ISSUANCE OF CERTIFICATE OF REGISTRATION.

(a) Upon the filing by a charitable organization of a Statement of Registration, the Chief of Police or his or her designate shall issue to the organization a receipt that indicates that the organization has filed a statement of registration and authorizes the organization to solicit contributions for charitable purposes pending the issuance of the Certificate of Registration.

(((a))) (b) The Chief of Police or his or her designate shall, after a review of the Statement of Registration to determine its compliance with Section 660.3 above, and within 10 working days of the receipt of the

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

Deputy City Attorney

4592F

SUPERVISORS NELDER AND WALKER

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 23, 1987	March 30, 1987
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Walker Silver
Absent: Supervisors Britt	Absent: Supervisors Britt Maher Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
121-86-12.2

APR 3 1987
Date Approved

Mayor

ORIGINAL
FILED

OCT 10 1986

WILLIAM L. WHITTAKER
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

GAUDIYA VAISHNAVA SOCIETY, a California religious non-profit corporation; GREENPEACE PACIFIC SOUTHWEST, a California non-profit corporation; SAN FRANCISCO NUCLEAR WEAPONS FREEZE CAMPAIGN; SAN FRANCISCO COMMITTEE IN SOLIDARITY WITH THE PEOPLE OF EL SALVADOR; SAN FRANCISCO LESBIAN GAY FREEDOM DAY PARADE AND CELEBRATION COMMITTEE,	
Plaintiffs,	NO. C-86-4227-WWS
v.	ORDER
CITY AND COUNTY OF SAN FRANCISCO,	
Defendant.	

Defendant has moved for modification of the preliminary injunction issued August 15, 1986. The parties have agreed to submit the matter without oral argument. The appeal heretofore noticed by defendant has been dismissed; this Court therefore has jurisdiction. The Court has discretion under Fed. R. Civ. P. 60(b)(6) to relieve a party from a final order for good cause.

The sale of articles by sidewalk vendors acting for charitable organization has created serious problems for

defendant in the Fisherman's Wharf area frequented by tourists. This Court has heretofore recognized the existence of legitimate interests in protecting local merchants, avoiding traffic congestion and reducing the risk of fraud. With this in mind the Court proposed to enter a limited injunction against defendant barring the enforcement of its anti-solicitation ordinance, San Francisco Municipal Code article 9.6, § 660.2(i), ("the ordinance") only with respect to expressive items as defined in the order. Defendant objected on the ground that it would not be able to administer such a restriction.

Defendant has reconsidered its prior position in view of the magnitude of the problem and is now prepared to proceed under the limited injunction heretofore proposed.

Plaintiffs, however, now object to the modification on the ground that it renders the order so vague as to chill protected activity. The argument proves too much. Unlike the regulations in the cases cited by them, which were in some respects open ended, the instant order defines the scope of the injunction in terms of protected expression. The difficulty of making a judgment as to whether a particular activity falls within the scope of protected expression is no greater or more chilling than under the First Amendment generally. That Amendment provides no bright lines; what is protected expression must be determined on a case-by-case basis. The burden on plaintiffs under this order, therefore, is no greater than what they face under any system of regulation.

Chilling might occur, however, if the ordinance remained in its present form, thus giving no notice to the public of its court-imposed limits. Accordingly, the defendant is directed to publish and distribute, within thirty days, revised copies of its ordinance which shall include the terms of this order.

Accordingly, the order of August 15, 1986, is vacated an the following order is made:

1. The sale by an organization, or its members or representatives, of books and pamphlets as well as articles c clothing and other merchandise constituting or making a statement carrying a religious, political, philosophical or ideological message relevant to the purpose of the organization ("expressive items") is an activity protected by the First Amendment.

2. Plaintiffs and their members and representatives, being engaged in activities protected by the First Amendment that are threatened by the actual or potential enforcement o the ordinance, have standing to maintain this action.

3. The terms of the ordinance confront plaintiffs and their members and representatives with the imminent threat o arrest and prosecution for activities that are protected by the First Amendment.

4. The peddlers' permit proviso in § 660.2(i) does not offer a constitutionally adequate alternative to plaintiffs because the Police Code makes the issuance of permits discretionary, subjects them to being revoked on discretionary grounds, denies them to plaintiffs as charitable

organizations, imposes an excessive application fee and annual tax, and makes few, if any, permits presently available to anyone.

5. The legitimate objectives of defendant in protecting the economic interests of local merchants, avoiding traffic congestion, and reducing the risk of fraud can be achieved by less restrictive and intrusive means than are provided by the ordinance in its present form.

6. Plaintiffs have demonstrated probable success on the merits and possible irreparable injury, and that a serious question exists on the merits while the balance of hardships tips sharply in their favor.

Therefore, defendant is enjoined from enforcing the prohibition against "sales solicitations for charitable purposes," as defined in the ordinance, in the area described in subsection (i) (generally known as the Fisherman's Wharf area), against any charitable organization or person acting for it with respect to the sale or distribution of expressive items as defined in paragraph 1. of this order.

Nothing in this order shall preclude the enforcement of the ordinance against any person to the extent, but only to the extent, that person is engaged in the sale or distribution, even if for religious, political, philosophical or ideological purposes, of other than expressive items.

IT IS SO ORDERED.

DATED: October 10, 1986

William W Schwarzer

WILLIAM W SCHWARZER
United States District Judge

LE NO. 106-87-1 ORD. NO. 107-87

ORIGINAL

CITY AND COUNTY OF SAN FRANCISCO
SALARY STANDARDIZATION ORDINANCE
FISCAL YEAR - 1987-88

ORIGINAL

MARCH 30, 1987

Amended in Committee 3/25/87

FILE NO. 101-86-77

ORDINANCE NO. 108-87

RO #6725 SA #126

(Government Funding)

APPROPRIATING $71,373 FOR CAPITAL IMPROVEMENT PROJECT (LIBRARY BUILDING RENOVATION/EXPANSION STUDY), PUBLIC LIBRARY, AND RESCINDING $71,373 FROM CAPITAL PROJECTS (E.D.P.-COOL WATER CONSERVATION) AND FACILITIES MAINTENANCE (FACILITIES REMODELING) PUBLIC WORKS AND COMMUNITY MENTAL HEALTH FOR FISCAL YEAR 1986-87; 3/25/87 PLACING RESERVE ON $68,300.00.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for F/Y 1985-86 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
90-01-00	Public Works		
21-2030 (503193)	Capital Improvement-Project		
Project 655-01	E.D.P. - Cool Water Conservations	$45,267	
01-001	General Fund		
87-16-06	Community Mental Health		
21-2020 (730325)	Facilities Maintenance Project		
Project 398-00	Facilities Remodeling	26,106	
99-00-00	General Fund Unallocated		
49-4900 (874982)	Revenue Transfer to #01-005-		
	General Fund Project; 99-00-00		
	General Fund Unallocated		$71,373
3/25/87 ah	Total	$71,373	$71,373 *
01-005	General Fund Project		
99-00-00	General Fund Unallocated		
99-9990 (191312)	Revenue Transfer-In from		
	#01-001 - General Fund;		
	99-00-00 - General Fund		
	Unallocated	$71,373	

////////// //////////

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
41-01-00	Public Library		
21-2030 (615047)	Capital Improvement Project		
Project	Library Renovation and Expansion Study		$71,373
	Total	$71,373	$71,373

3/25/87 ah * Section 2. Funds in the amount of $68,300 are hereby held in reserve until released by the Finance Committee of the Board of Supervisors.

APPROVED AS TO FORM
LOUISE H. RENNE, CITY ATTORNEY

By: DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

CONTROLLER

RECOMMENDED: FEB 27 1987

MAYOR

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 30, 1987	April 6, 1987
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker	Ayes: Supervisors Hsieh Maher Molinari Nelder Silver Walker Ward
Absent: Supervisors Maher Ward	Absent: Supervisors Britt Gonzalez Hongisto Kennedy

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I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 101-86-77

4-8-87
Date Approved

Acting Mayor

AMENDED IN CMTE. 3/13/87

FILE NO. 101-86-76

ORDINANCE NO. 109-87

(Government Funding) RO #6742 SA #98

APPROPRIATING $465,723 ~~$469,849~~ FOR PROFESSIONAL SERVICES, DATA/WORD PROCESSING EQUIPMENT MAINTENANCE, OTHER CURRENT SERVICES, MATERIAL AND SUPPLIES, EQUIPMENT, EQUIPMENT LEASE/PURCHASE, SERVICES OF OTHER DEPARTMENTS, AND CAPITAL PROJECTS (TOXIC WASTE PREFABRICATED CONTAINER), VARIOUS DEPARTMENTS, AND RESCINDING $236,979 FROM PERMANENT SALARIES, PROFESSIONAL SERVICES, AUTO MILEAGE, AND SERVICES OF OTHER DEPARTMENTS, DEPARTMENT OF PUBLIC HEALTH, FOR FISCAL YEAR 1986-87.

Be it ordained by the People of the City and County of San Francisco:

Section 1: Funds are hereby appropriated for Fiscal Year 1986-87 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
G.L. 491 (000026)	Unappropriated Revenue Retained		
Subsidiary 000098	Capital Reserve	$228,744 ~~$232,870~~	
83-05-00	Public Health-Environmental Health		
01-0010(732412)	Permanent Salaries	75,024	
10-1000	Professional Services	4,678	
10-1110	Auto Mileage	2,719	
30-3010	Fire	125,978	
30-3070	Tax Collector	10,905	
83-07-03	Public Health - Communicable Disease		
01-0010 (441758)	Permanant Salaries	17,675	
01-001	General Fund		
83-05-00	Department of Public Health - Environmental Health		
10-1000(732412)	Professional Services		$90,550
10-1060	Data/Word Processing Equipment Maintenance		511 ~~873~~
10-1200	Other Current Services		2,625 ~~6,391~~
11-1300	Material and Supplies		14,653
22-2200	Equipment		84,366
22-2310	Equipment Lease/Purchase		15,505
30-3400	Controller - Maintenance & Operations		38,555
30-3500	Reproduction-Printing & Reproduction		3,058
30-3890	Miscellaneous Departments		450
91-00-00	General Fund Unallocated		
48-4830 (841601)	Contribution Transfer to #31-001 - Municipal Railway Operating Fund, #35-00-00 Municipal Railway		85,650
48-4830 (876789)	Contribution Transfer to #36-001- Hospital Operating Fund; 86-01-00-San Francisco General Hospital		22,475
49-4900 (874982)	Revenue Transfer to #01-005- General Fund Project; #99-00-00 General Fund Unallocated		107,325
	Total	$465,723 ~~$469,849~~	$465,723 ~~$469,849~~
01-005	General Fund Project		
99-00-00	General Fund Unallocated		
99-9990 (191312)	Revenue Transfer In from #01-001- General Fund #99-00-00- General Fund Unallocated	$107,325	
60-00-00	Academy of Science		
21-2030 (400101) Project #	Capital Project Toxic Waste Prefabricated Container		$13,250
74-00-00	Coroner		
21-2030 (424010) Project #	Capital Project Toxic Waste Prefabricated Container		13,250
90-01-00	Public Works-General Administration		
21-2030 ( )	Capital Project		
Project #	Toxic Waste Prefabricated Container		20,475

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DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
91-01-00	Purchaser-Main Office		
21-2030 ( )	Capital Project		
Project #	Toxic Waste Prefabricated Container		60,350
	Total	$107,325	$107,325
31-001	Municipal Railway Operating Fund		
35-04-00	Municipal Railway		
98-9701 (196113)	Contribution Transfer In from #01-001-General Fund; #99-00-00 General Fund Unallocated	$85,650	
21-2030 (560037)	Capital Project		
Project #696-01	Toxic Waste Prefabricated Container		$85,650
	Total	$85,650	$85,650
36-001	Hospital Operating Fund		
86-01-00	San Francisco General Hospital		
98-9701 (199471)	Contribution Transfer In from #01-001-General Fund; #99-00-00 General Fund Unallocated	$22,475	
21-2030 (460162)	Capital Project		
Project #	Toxic Waste Prefabricated Container		$22,475
	Total	$22,475	$22,475

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

By John C Farrell
CONTROLLER

MAR 13 1987

RECOMMENDED:

_____
MAYOR

(fh #0766P)

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 23, 1987	March 30, 1987
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Silver Walker Ward	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Walker
Absent: Supervisors Britt Nelder	Absent: Supervisors Britt Maher Silver Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
101-86-76

APR 9 1987
Date Approved

_____
Mayor

Amended in Committee 3/25/87

FILE NO. 101-86-84 ORDINANCE NO. 110-87

[Government Funding]

5/87 ah

APPROPRIATING $1,635,700 FOR CAPITAL IMPROVEMENT PROJECTS (FIRE PROTECTION SYSTEM - 1986 FIRE PROTECTION BOND), FIRE DEPARTMENT, FOR FISCAL YEAR 1986-87; PLACING RESERVE ON $1,113,000.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1986-87 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
G.L. 411	Revisions to Estimated Revenue		
05-605	1986 Fire Protection Bond		
55-5500	Proceeds - Sale of Bonds	$1,635,700	
31-03-00	Fire Department		
02-2030 (530097)	Capital Improvement Projects		
25/87 ah Project 600-01	SEISMIC/Condition Assess. Surveys		$1,000,000 *
601-01	High Pressure System - Parts		51,000
602-01	44th - Santiago Tank - Conversion		119,000
603-01	Program HQTRS - Renovation		68,700
604-01	Environmental Review		217,000 *
605-01	D.P.W. - Program Planning		30,000
606-01	Financial - Legal Costs		150,000
	Total	$1,635,700	$1,635,700

25/87 ah

* Section 2. Funds in the amount of $946,000 (SEISMIC/Condition Assess. Surveys) are hereby reserved subject to release by the Finance Committee of the Board of Supervisors, at such time as the Capital Improvement Advisory Committee reports to the Finance Committee on the details of the proposed work program, and funds in the amount of $167,000 (Environmental Review) are hereby reserved subject to release by the Finance Committee of the Board of Supervisors, at such time as the Capital Improvement Advisory Committee reports to the Finance Committee on the details of the work program to be contracted out.

(See file for departmental signatures)

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 30, 1987	April 6, 1987
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker	Ayes: Supervisors Hsieh Maher Molinari Nelder Silver Walker Ward
Absent: Supervisors Maher Ward	Absent: Supervisors Britt Gonzalez Hongisto Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-86-84

4-8-87
Date Approved

Acting Mayor

FILE NO. 184-87-1 ORDINANCE NO. 111-87

(Street Vacation)

ORDERING VACATION OF FREMONT STREET BETWEEN BRANNAN STREET AND THE EMBARCADERO IN THE RINCON POINT-SOUTH BEACH REDEVELOPMENT AREA.

Be It Ordained by the People of the City and County of San Francisco:

Section 1. On March 2, 1987, the Board of Supervisors adopted Resolution No. 125-87, approved by the Mayor on March 3, 1987, being a Resolution of a Declaration of Intention to Order the Vacation of Fremont Street between Brannan Street and the Embarcadero as shown on Department of Public Works' Drawing SUR-1386 a copy of which is on file in the office of the Clerk of the Board of Supervisors, and

Section 2. The Clerk of the Board of Supervisors did transmit to the Department of Public Works a certified copy of said Resolution, and said Director did cause to be posted in the manner and as required by law, notice of the passage of said Resolution.

Section 3. When said matter was considered as scheduled by the Board of Supervisors at its regular meeting held in City Hall, San Francisco, on March 23, 1987, beginning at 3:00 P.M., said Board heard all persons interested in said vacation.

Section 4. The public interest and convenience require the vacation to be done as declared in said Resolution No. 125-87

Section 5. The Department of City Planning reported on January 23, 1987, that said vacation is in conformity with the Master Plan.

Section 6. The Board of Supervisors has jurisdiction to order said vacation subject to the conditions set forth in the Declaration of Intention to order the said vacation.

Section 7. Upon vacation of Fremont Street, when the City and County of San Francisco, operating by and through the San Francisco Port Commission enters into a lease with the Redevelopment Agency as authorized by Ordinance No. 389-84, a condition of such lease shall be that the existing 12-inch sewer line located in Fremont Street shall either be retained as a private sewer or shall be plugged and abandoned as stipulated in letter dated January 16, 1987 from the Clean Water Program to the Division of Surveys and Mapping. A copy of said letter is on file in the Department of Public Works, Division of Surveys and Mapping.

Section 8. The said portion of Fremont Street is hereby ordered vacated.

Section 9. The Clerk of the Board of Supervisors is hereby directed to transmit to the Recorder and the Director of Public Works and the Executive Director of the Port a certified copy of this Ordinance, and the Recorder and the Directors are hereby directed to proceed thereafter as required by law.

APPROVED AND RECOMMENDED

Director of Property

Director of Public Works

Chief Administrative Officer

S.F. Port Commission

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

by Deputy City Attorney

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
March 23, 1987	§	March 30, 1987
	§	
	§	
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Walker	§	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker
	§	
Absent: Supervisors Britt Molinari Nelder Silver Ward	§	Absent: Supervisors Maher Ward
	§	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
184-87-1

4-8-87
Date Approved

John C. Williams
Acting Mayor

FILE NO. 97-87-15 ORDINANCE NO. 112-87

(Bond Financing)

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTION 2.30-1 THERETO AND BY AMENDING SECTIONS 3.05, 3.06, 3.07, 3.08, 3.09, 3.010, AND 3.011 REGARDING A PROCEDURE TO ISSUE BONDED INDEBTEDNESS FOR PUBLIC IMPROVEMENTS; REQUIRING BOND PROPOSALS TO BE SUBMITTED TO THE CAPITAL IMPROVEMENT ADVISORY COMMITTEE; PROVIDING FOR TIME OF ADOPTION OF BOND RESOLUTIONS BEFORE THE ELECTION; AUTHORIZING THE BOARD OF SUPERVISORS TO WAIVE TIME LIMITS AS NEEDED; PROVIDING FOR A CAPITAL IMPROVEMENTS ADVISORY COMMITTEE AND MEMBERSHIP THEREOF; PROVIDING FOR THE PREPARATION OF A 6-YEAR CAPITAL EXPENDITURE PLAN AS PART OF THE ANNUAL BUDGET PROCESS AND REPEALING SECTIONS 3.012, 3.013 AND 3.014 OF THE SAN FRANCISCO ADMINISTRATIVE CODE.

NOTE: Additions or substitutions are underlined; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Amending the San Francisco Administrative Code by adding Section 2.30-1 and by amending Sections 2.33 and 2.34.

Article VII. Bonded Indebtedness for Public Improvements, Procedure.

SEC. 2.30-1 PROPOSAL TO BE SUBMITTED TO THE CAPITAL IMPROVEMENT ADVISORY COMMITTEE; REPORT THEREFROM.

Any department of the City seeking to incur a bonded indebtedness on behalf of the City shall submit to the capital improvement advisory committee such proposal not less than one hundred and eighty-eight days before the election at which such proposal is to be acted upon by the voters. Such submission shall be accompanied by descriptive architectural or engineering data and all other pertinent material in sufficiently complete detail to

permit the committee to review all aspects of the proposal. The committee shall make a written report thereon to the board, analyzing the proposition as to its feasibility, cost and priority relative to the capital expenditure plan as provided under section 3.05 of this code. Said report shall include a separate written statement from the director of public works indicating that the cost estimate for any and all construction which is or may be a part of a proposed bond project has been reviewed by the department of public works as to its accuracy and completeness. The failure to render a report within forty-two days after such bond proposal has been submitted to the committee, unless a longer time has been granted by the board of supervisors, shall constitute an approval of the proposal.

SEC. 2.33. REFERRAL OF RESOLUTION TO CONTROLLER ((AND DIRECTOR OF PUBLIC WORKS)); STATEMENT THEREFROM.

Immediately after introduction of the resolution in the board of supervisors as provided by section 2.31 of this code, the clerk of the board shall deliver a copy thereof to the controller, who shall make a written statement thereon to the board, analyzing the proposition as to its cost and effect pursuant to the provisions of section 9.112 of the charter. The committee to which any such resolution is referred shall not report it to the board, and the board shall not adopt such resolution, prior to receipt of such statement.

((In the event that any proposed bond issue project other than one under the jurisdiction of the public utilities commission contemplates the construction of improvements to real property, following reference of such resolution to a committee of the board of supervisors, said committee may direct the clerk of the board to refer a copy thereof to the director of public works with the written request that the latter submit to said board a written statement setting

BOARD OF SUPERVISORS

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forth therein his estimate of the cost of any and all construction which is or may be involved; and following such referral the committee shall not report said resolution to the board, and the board shall not adopt it prior to receipt of said statement.))

SEC. 2.34. TIME OF ADOPTION OF RESOLUTION BEFORE ELECTION; TIME OF PASSAGE OF ORDINANCE ORDERING ELECTION.

The resolution provided for by section 2.31 of this code shall be adopted by the board of supervisors not less than one hundred and forty-one days before the election at which such proposal is to be acted upon by the voters. At any meeting of the board subsequent to that at which the resolution is adopted, but not less than ninety-nine days before such election, the board may finally pass an ordinance ordering the submission of such proposal to the qualified voters of the city and county at an election held for that purpose. The time limits as herein set forth may be waived by resolution of the board of supervisors.

Section 2. Amending the San Francisco Administrative Code by amending Sections 3.05, 3.06, 3.07, 3.08, 3.09, 3.010, 3.011, to read as follows:

SEC. 3.05. CAPITAL IMPROVEMENT ADVISORY COMMITTEE.

A capital improvement advisory committee is hereby created to ((determine and recommend to)) advise the mayor and board of supervisors ((priority programs and coordinated financing plans for effectuating the six-year capital improvement programs prepared annually by the city planning commission. The committee shall determine and recommend priority and financing programs respectively for all capital improvement projects, reconstruction or replacement items and maintenance and repair items which are proposed for inclusion in the budget for each fiscal year)) about the future maintenance and improvement needs of the city's capital assets

(buildings and structures) and to recommend program and financing strategies to meet these identified needs.

To fulfill these responsibilities for the future maintenance and improvement of the city's capital assets and to initiate actions to meet these future needs, the goals of the capital improvement advisory committee are as follows:

To maintain the existing physical plant of the city at an adequate level to ensure that the public services for which it was designed to provide are effectively delivered;

To prepare an annual six-year capital expenditure plan for the maintenance and improvement of the city's physical plant;

To provide for the continuing maintenance of the program and its associated data base to monitor the condition of the city's capital assets, especially for the general fund supported departments, to give the committee the capability to develop a multi-year schedule of maintenance projects for the correction of identified system deficiencies;

To coordinate the capital plans for the revenue departments as a part of the six-year capital expenditure plan;

To submit periodic reports to the mayor and the board of supervisors on the status of the city's capital assets;

To establish and maintain within the capital expenditure plan a long-term, multi-year schedule of general obligation bond proposals for the improvement needs of the general fund supported departments;

To encourage the rational allocation of financial resources for the capital assets of the general fund and general fund supported departments; and

To serve as a conduit for the review and analysis of general obligation bond proposals prior to their consideration by the board of supervisors for submission to the city's electorate.

((The committee shall review proposed bond issues, including revenue bonds and tax allocation bonds, nonprofit corporation proposals, proposed capital improvement projects to effectuate future redevelopment proposals, and other financing proposals for capital improvements, and advise the mayor and the board on their feasibility, cost and priority in relation to the long range capital improvement program and the financial plan based thereon. At least two years prior to the election date, all bond issues proposed for a June or November election shall have been submitted to the city planning commission for inclusion in the capital improvement program with preliminary specifications, detail and cost figures. At least one year prior to the election date, the proposed bond issue shall have been submitted to the city planning commission for inclusion in the capital improvement program with substantially the same specifications, detail and cost figures that will be included in the ballot propositions. Effective January 1, 1968 bond issue propositions which have not been submitted according to these procedures shall not be eligible for consideration and review by the capital improvement advisory committee and shall not be recommended by that committee for placement on the ballot.))

SEC. 3.06. SAME - MEMBERSHIP.

The capital improvement advisory committee shall be composed of the chief administrative officer, who shall act as chair((man)),

the controller, the director of public works, the director of planning, the general manager of utilities, ((and)) the general manager of the recreation and park department, the director of airports, the director of property, the director of public health, and the port director.

SEC. 3.07. SAME - ((REPORT TO MAYOR AND BOARD OF SUPERVISORS.)) RULES AND REGULATIONS.

((The capital improvement advisory committee shall submit a report to the mayor and the board of supervisors on or before June 15, 1963 and the 15th day of June of each year thereafter.)) The capital improvement advisory committee shall have the duty and the power to establish rules and regulations for the conduct of its affairs and for the procedures to be followed by the several boards, commissions and departments in submitting the information required by the committee. In general, the committee shall have such powers as may be necessary to enable it to fulfill its functions.

SEC. 3.08. SAME - ((RULES AND REGULATIONS.)) REPORTS TO MAYOR AND BOARD OF SUPERVISORS.

The capital improvement advisory committee shall be responsible for the preparation of the annual six-year capital expenditure plan for submission to the mayor and the board of supervisors as a part of the annual budget process. The first year of the plan shall be the recommended capital expenditure budget for the ensuing fiscal year for all fund groups and funds. The purposes of this plan are to set recommended project priorities to guide the allocation of financial resources with a special emphasis on those projects contained in the first year of the plan and to establish a six-year schedule of projects for the maintenance and improvement of the physical plant.

///

Within thirty days following the final approval of the annual appropriation ordinance for the ensuing fiscal year, the capital improvement advisory committee shall prepare and submit a final report on the annual six-year capital expenditure plan to the mayor and the board of supervisors. The purposes of this report are to indicate final action by the board of supervisors on all projects contained in the first or budget year of the plan and to provide a document on which the preparation of the following fiscal year's capital expenditure plan can be based.

SEC. 3.09. SAME - ((RECOMMENDATIONS FOR CAPITAL IMPROVEMENT.)) LONG TERM FINANCING PROPOSALS.

((The capital improvement advisory committee shall, on or before May 15, 1967, report to the mayor and the board of supervisors its recommendations for a six-year capital improvement program and a financing plan for the effectuation thereof, and thereafter on or before June 15th annually, submit in writing to the mayor and the board of supervisors its recommendations for amendments to the six-year capital improvement program and the financing plan.))

SEC. 3.010. SAME - REQUESTS FOR SUPPLEMENTAL APPROPRIATIONS.

((Commencing July 1, 1967)) Requests for supplemental appropriations for capital improvements ((items)) or facilities maintenance projects shall be referred to the capital improvement advisory committee for report thereon to the mayor and the board of supervisors ((regarding the effect upon the current six-year capital improvement program and the financing plan)) as to whether the request is in conformity with the six-year capital expenditure plan.

Failure of the capital improvement advisory committee to render a report within thirty days after such referral, unless a longer time has been granted by the board of supervisors, shall constitute a finding that the supplemental appropriation is in

conformity with the six-year capital expenditure plan.

SEC. 3.011. SAME - ((BOARD OF SUPERVISORS TO APPROVE OR AMEND RECOMMENDATION.)) MASTER PLAN REFERRALS.

((The board of supervisors shall on or before July 15, 1967, consider and approve or increase, decrease or otherwise amend the capital improvement advisory committee's recommendation for a six-year capital improvement program and the financing plan for the effectuation thereof, and thereafter on or before July 15th annually, consider and approve or increase, decrease or otherwise amend the capital improvement advisory committee's recommendation for amendment to the six-year capital improvement program and the financing plan, provided that the board of supervisors shall not add any capital improvement item unless such item has first been referred to the department of city planning and a report has been rendered thereon regarding conformity with the master plan and to the capital improvement advisory committee and a report has been rendered thereon regarding the effect of such items on the balance of such six-year capital improvement program and the financing plan.)) Where a capital improvement project requires a master plan action by the department of city planning, the capital improvement advisory committee cannot act upon such project until a report has been rendered by the department of city planning regarding conformity of the project with the master plan.

Failure of the department of city planning to render a report within thirty days after such referral, unless a longer time has been granted by the board of supervisors, said capital improvement project shall be deemed to be in conformity with the master plan.

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Section 3. Amending the San Francisco Administrative Code by repealing Sections 3.012, 3.013, and 3.014 thereof.

(See File 97-87-15 for Departmental Signature)

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Robert A. Kenaley
Deputy City Attorney

RECOMMENDED:

Chief Administrative Officer

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
April 6, 1987	§	April 13, 1987
Ayes: Supervisors Hsieh Maher Molinari Nelder Silver Walker Ward	§	Ayes: Supervisors Britt Gonzalez Hsieh Molinari Nelder Walker
Absent: Supervisors Britt Gonzalez Hongisto Kennedy	§	Absent: Supervisors Hongisto Maher Kennedy Silver Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
97-87-15

APR 24 1987
Date Approved

Mayor

3509W:04/03/87

FILE NO. 47-87-8 ORDINANCE NO. 113-87

(Garage Lease Documents)

APPROVING AND ADOPTING LOMBARD STREET GARAGE LEGAL DOCUMENTS AND AUTHORIZATION TO LEASE

Be it ordained by the People of the City and County of San Francisco:

Section 1. In accordance with the recommendation of the Parking Authority of the City and County of San Francisco, there has been filed with the Clerk of the Board certain documents which consist of:

1. Form of Invitation for Bids
2. Form of Bid
3. Form of Questionnaire
4. Form of Lease

Section 2. The legal documents are hereby approved in substantially the form now filed in the office of the Clerk of the Board of Supervisors and are made a part hereof by reference.

Section 3. The Acting Director of Property is authorized to call for bids for said lease pursuant to and in accordance with the Invitation for Bids and Bid Form.

RECOMMENDED:

Director, Parking Authority

Acting Director of Property

APPROVED AS TO FORM:
LOUISE RENNE, City Attorney

By Julian E. Hattgner
Deputy City Attorney

1746A

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 30, 1987	April 6, 1987
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker Ward	Ayes: Supervisors Hsieh Maher Molinari Nelder Silver Walker Ward
Absent: Supervisors Maher	Absent: Supervisors Britt Gonzalez Hongisto Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 47-87-8

APR 17 1987
Date Approved

Mayor

FILE NO. 65-87-2 ORDINANCE NO. 114-87

(BOATING AND FISHING LEASE)

APPROVING LEASE FOR ESTABLISHING AND OPERATING A BOATING AND FISHING VENTURE AT LAKE MERCED SPORTS CENTER, LOCATED IN SAN FRANCISCO, CALIFORNIA.

Be it ordained by the People of the City and County of San Francisco:

Section 1. That certain lease between the Recreation and Park Commission, for and on behalf of the City and County of San Francisco, and Urban Park Concessionaires, for establishing and operating a boating and fishing venture at the Lake Merced Sports Center, a copy of which lease is on file in the office of the Clerk of the Board of Supervisors and to which reference is hereby made, is hereby approved.

RECOMMENDED:

Mary E. Burns, General Manager
Recreation and Park Department

Shauna Marie Rose, Secretary
Recreation and Park Commission

APPROVED AS TO FORM:

Louise H. Renne, City Attorney

Mara E. Rosales
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 30, 1987	April 6, 1987
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Walker	Ayes: Supervisors Hsieh Maher Molinari Nelder Silver Walker Ward
Absent: Supervisors Britt Maher Silver Ward	Absent: Supervisors Britt Gonzalez Hongisto Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 65-87-2

APR 17 1987
Date Approved

Mayor

FILE NO. 62-87-1 ORDINANCE NO. 115-87

(RESTAURANT AND BAR LEASE)

APPROVING ASSIGNMENT OF LAKE MERCED RESTAURANT AND BAR LEASE FROM BAY AREA LOCATION CATERERS, INC. TO MIRAGE INVESTMENTS, INC. WITH MATERIAL MODIFICATIONS OF LEASE PROVISIONS.

Be it ordained by the People of the City and County of San Francisco:

Section 1. That certain lease between the Recreation and Park Commission, for and on behalf of the City and County of San Francisco, and Mirage Investments, Inc. for establishing and operating a restaurant and bar venture at the Lake Merced Sports Center, a copy of which lease is on file in the office of the Clerk of the Board of Supervisors and to which reference is hereby made, is hereby approved.

RECOMMENDED:

Ernest L. Pinder
Mary E. Burns, General Manager
Recreation and Park Department

Shauna Marie Rose
Shauna Marie Rose, Secretary
Recreation and Park Commission

APPROVED AS TO FORM

Louise H. Renne, City Attorney

Mara E. Rosales
Mara E. Rosales
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
March 30, 1987	§	April 6, 1987
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Walker	§	Ayes: Supervisors Hsieh Maher Molinari Nelder Silver Walker Ward
Absent: Supervisors Britt Maher Silver Ward	§	Absent: Supervisors Britt Gonzalez Hongisto Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John L. Taylor
Clerk

File No. 62-87-1

APR 17 1987
Date Approved

Dianne Feinstein
Mayor

FILE NO. 47-87-9 ORDINANCE NO. 116-87

(Garage Lease Documents)

APPROVING AND ADOPTING MARSHALL SQUARE PARKING PLAZA LEGAL DOCUMENTS AND AUTHORIZATION TO LEASE

Be it ordained by the People of the City and County of San Francisco:

Section 1. In accordance with the recommendation of the Parking Authority of the City and County of San Francisco, there has been filed with the Clerk of the Board certain documents which consist of:

1. Form of Invitation for Bids
2. Form of Bid
3. Form of Questionnaire
4. Form of Lease

Section 2. The legal documents are hereby approved in substantially the form now filed in the office of the Clerk of the Board of Supervisors and are made a part hereof by reference.

Section 3. The Acting Director of Property is authorized to call for bids for said lease pursuant to and in accordance with the Invitation for Bids and Bid Form.

RECOMMENDED:

Director, Parking Authority

Acting Director of Property

APPROVED AS TO FORM:
LOUISE RENNE, City Attorney

By Deputy City Attorney

1746A

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 30, 1987	April 6, 1987
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Walker	Ayes: Supervisors Hsieh Maher Molinari Nelder Silver Walker Ward
Absent: Supervisors Britt Maher Silver Ward	Absent: Supervisors Britt Gonzalez Hongisto Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 47-87-9

APR 17 1987
Date Approved

Mayor

FILE NO. 61-87-3 ORDINANCE NO. 117-87

(Call for Bids)

AUTHORIZING CALL FOR BIDS TO LEASE A PORTION OF THE JUVENILE FACILITY AT LA HONDA, KNOWN AS HIDDEN VALLEY RANCH.

Be It Ordained by The People of the City and County of San Francisco:

Section 1. Pursuant to Section 7.402 of the City Charter, the Director of Property, on behalf of the City and County of San Francisco, a municipal corporation, as Lessor, is hereby authorized to arrange for the leasing of the Juvenile Court property at Hidden Valley Ranch to the highest responsible bidder.

Section 2. Said lease shall be for a period of approximately five (5) years commencing upon execution of the lease plus two (2) five (5) year option periods.

Section 3. Bids shall be on the basis of a prepared monthly rental. The lease shall be awarded by the Director of Property to the highest responsible bidder, subject to confirmation by the Board of Supervisors and the form of said lease shall be approved by the Juvenile Court and the City Attorney.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: _____
Deputy City Attorney

By: _____
Chief Probation Officer
Juvenile Court

By: _____
Acting Director of Property

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
March 30, 1987	§	April 6, 1987
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Walker	§	Ayes: Supervisors Hsieh Maher Molinari Nelder Silver Walker Ward
Absent: Supervisors Britt Maher Silver Ward	§	Absent: Supervisors Britt Gonzalez Hongisto Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No. 61-87-3

APR 17 1987
Date Approved

_____
Mayor

FILE NO. 90-87-3 ORDINANCE NO. 118-87

(Landmarks)

DESIGNATING THE MARK HOPKINS HOTEL AT 850 MASON STREET (ONE NOB HILL) AS A LANDMARK PURSUANT TO ARTICLE 10 OF THE CITY PLANNING CODE.

Be it Ordained by the People of the City and County of San Francisco:

Section 1. The Board of Supervisors hereby finds that the Mark Hopkins Hotel located at 850 Mason Street (One Nob Hill), Lot 2 in Assessor's Block 255, has a special character and special historical, architectural and aesthetic interest and value, and that its designation as a landmark will further the purposes of, and conform to the standards set forth in Article 10 of the City Planning Code.

(a) Designation. Pursuant to Section 1004 of the City Planning Code, Chapter II, Part II of the San Francisco Municipal Code, the Mark Hopkins Hotel is hereby designated as a Landmark, this designation having been duly approved by Resolution No. 10823 of the City Planning Commission, which Resolution is on file with the Clerk of the Board of Supervisors under File No. .....

(b) Required Data. The description of the location and boundaries of the Landmark site, of the characteristics of the Landmark which justify its designation, and of the particular features that should be preserved as included in the said Resolution, are incorporated in this designating ordinance as though fully set forth.

APPROVED AS TO FORM:
LOUISE H. RENNE
CITY ATTORNEY

By [signature]
Deputy City Attorney

RECOMMENDED:
CITY PLANNING COMMISSION

By [signature]
Dean L. Macris
Director of Planning

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
March 30, 1987	§	April 6, 1987
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Maher Molinari Nelder Silver Walker	§	Ayes: Supervisors Hsieh Maher Molinari Nelder Silver Walker Ward
Absent: Supervisors Ward	§	Absent: Supervisors Britt Gonzalez Hongisto Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Clerk

File No. 90-87-3

APR 17 1987
Date Approved

[signature]
Mayor

FILE NO. 90-87-2 ORDINANCE NO. 119-87

(Landmarks)

DESIGNATING THE CROWN ZELLERBACH COMPLEX AND SITE AS A LANDMARK PURSUANT TO ARTICLE 10 OF THE CITY PLANNING CODE.

Be it Ordained by the People of the City and County of San Francisco:

Section 1. The Board of Supervisors hereby finds that the Crown Zellerbach Complex and Site located at 1 Bush Street and 523 Market Street, Lots 11 and 12 in Assessor's Block 290, has a special character and special historical, architectural and aesthetic interest and value, and that its designation as a landmark will further the purposes of, and conform to the standards set forth in Article 10 of the City Planning Code.

(a) Designation. Pursuant to Section 1004 of the City Planning Code, Chapter II, Part II of the San Francisco Municipal Code, the Crown Zellerbach Complex and Site is hereby designated as a Landmark, this designation having been duly approved by Resolution No. 10931 of the City Planning Commission, which Resolution is on file with the Clerk of the Board of Supervisors under File No. 90-87-2

(b) Required Data. The description of the location and boundaries of the Landmark site, of the characteristics of the Landmark which justify its designation, and of the particular features that should be preserved as included in the said Resolution, are incorporated in this designating ordinance as though fully set forth.

APPROVED AS TO FORM:
LOUISE H. RENNE
CITY ATTORNEY

By _____
Deputy City Attorney

RECOMMENDED:
CITY PLANNING COMMISSION

By Dean L. Macris
Dean L. Macris
Director of Planning

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
March 30, 1987	§	April 6, 1987
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Maher Molinari Nelder Silver Walker	§	Ayes: Supervisors Hsieh Maher Molinari Nelder Silver Walker Ward
Absent: Supervisors Ward	§	Absent: Supervisors Britt Gonzalez Hongisto Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 90-87-2

APR 17 1987
Date Approved

Mayor

FILE NO. 97-87-12 ORDINANCE NO. 120-87

(Fees)

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 8.14 THEREOF, AUTHORIZING THE CORONER TO CHANGE FEES FOR COPIES OF DOCUMENTS AND CERTAIN SERVICES.

NOTE: Deletions - Double parentheses (( )) Additions - Underscored.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by amending Section 8.14 thereof, to read as follows:

Sec. 8.14 Coroner's Fees for copies of documents and certain services.

The Coroner is hereby authorized to charge fees to defray the cost of the issuance of the following mentioned documents and the providing of the following services and any persons requesting such documents or services shall pay the following fees:

Proof of death for insurance purposes..... $ 2.00
Statement of attending physician at death..... 2.00
Certified copy of verdict of inquest..... 2.00
Certified copy of Necropsy Report..... 5.00
Certified copy of Pathological Report..... 5.00
Certified copy of Toxicological Report..... 5.00
Certified copy of Coroner's Register Page..... 5.00
Search of Records..... 5.00
Disaster Bags for decomposed or accident cases..... 15.00
((Forensic autopsy performed on non-coroner's cases or outside county..... 645.00))
Forensic autopsy performed on non-coroner's cases or outside county..... 900.00
X-Rays on non-coroner's cases..... 8.00/ea.
Copies of X-Rays..... 5.00/ea.
Re-cut microscopic slides..... 8.00/ea.
Outside use of facilities for identification of remains... 25.00
Storage of remains for funeral directors for other than coroner's cases, per day..... 5.00
Removal and storage of remains from rest homes or other agencies that have no facilities for cold storage..... 45.00
Autopsy reports to hospitals and attending physicians..... 2.00
Certified copy of letter confirming death pending completion of autopsy..... 2.00
((Forensic alcohol report..... 25.00*))
Forensic alcohol report..... 55.00*
((Blood screen for drugs, I..... 50.00))
Blood screen for drugs, I..... 125.00
((Blood screen for drugs, II..... 60.00))
Blood screen for drugs, II..... 150.00
((Urine screen for drugs..... 50.00))
Urine screen for drugs..... 125.00
((Gastric screen..... 40.00))
Gastric screen..... 125.00
((Tissue screen..... 55.00))
Tissue screen..... 150.00
((Pre-trial conference at S.F. Coroner's Office..... 60.00/hr.))
Pre-trial conference at S.F. Coroner's Office..... 75.00/hr.
((Pre-trial conference at county of request..... 75.00/hr))
Pre-trial conference at county of request..... 90.00/hr.**
((Deposition at Coroner's Office..... 5.00/hr.))
Deposition at Coroner's Office..... 100.00/hr.
((Deposition outside San Francisco County..... 100.00/hr.**))
Deposition outside San Francisco County..... 150.00/hr.**

((Court testimony, criminal case, toxicologist	75.00/hr.))
Court testimony, criminal case, toxicologist	110.00/hr.
((Court testimony, criminal case, forensic pathologist	125.00/hr.**))
Court testimony, criminal case, forensic pathologist.....	200.00/hr.**

* Includes court appearance if service contract, otherwise court, travel and expert fees will be added.

** Travel and accommodation charges will be responsibility of requesting agency.

All fees set for toxicology testing for outside county, federal and state agencies shall be at the maximum charges listed above; however, lower fees may be negotiated for service contract work.

All fees received by the Coroner in payment of the issuance of the documents and the providing of certain services mentioned in this section shall be deposited with the treasurer and recorded as revenue for the Medical Examiner-Coroner's Office.

(See file for departmental signature)

Approved as to form:

LOUISE RENNE, City Attorney

By: _____
Deputy City Attorney

Doc. 2247C

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
March 30, 1987	§	April 6, 1987
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker	§	Ayes: Supervisors Hsieh Maher Molinari Nelder Silver Walker Ward
Absent: Supervisors Maher Ward	§	Absent: Supervisors Britt Gonzalez Hongisto Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No. 97-87-12

APR 17 1987
Date Approved

_____
Mayor

FILE NO. 101-86-86

ORDINANCE NO. 121-87

RO #6733 SA #83

(Government Funding)

APPROPRIATING $39,266 FOR CAPITAL IMPROVEMENT PROJECT (RECREATION AND PARK - GOLDEN GATE PARK TENNIS COURTS) AND RESCINDING $39,266 FROM CAPITAL IMPROVEMENT PROJECT (RECREATION AND PARK - GOLDEN GATE PARK TENNIS COURTS) TO COVER OVERAGE ABOVE TEN PERCENT (10) OF CONTRACTED AMOUNT PURSUANT TO PROVISIONS OF CHARTER 7.203, DEPARTMENT OF PUBLIC WORKS, FOR FISCAL YEAR 1986-87.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1986-87 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
06-515	Capital Project Fund - Recreation and Park		
90-06-00	Department of Public Works		
21-2030 (600551)	Capital Improvement Project		
Project 966-00	Golden Gate Park Tennis Courts	$39,266	
21-2030 (600551)	Capital Improvement Project		
Project 966-00	Golden Gate Park Tennis Courts	_____	$39,266
	Total	$39,266	$39,266

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

By John C Farrell
CONTROLLER

MAR 11 1987

RECOMMENDED:

Dianne Feinstein
MAYOR

lp 0875M pg 2

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 30, 1987	April 6, 1987
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Walker	Ayes: Supervisors Hsieh Maher Molinari Nelder Silver Walker Ward
Absent: Supervisors Britt Maher Silver Ward	Absent: Supervisors Britt Gonzalez Hongisto Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John Taylor
Clerk

File No. 101-86-86

APR 17 1987
Date Approved

Dianne Feinstein
Mayor

FILE NO. 101-86-82

ORDINANCE NO. 122-87
RO #6734 SA #106

(Government Funding)

APPROPRIATING $92,163 FOR PERMANENT SALARIES, MANDATORY FRINGE BENEFITS, FEES, LICENSES AND PERMITS, PUBLIC WORKS, FOR FISCAL YEAR 1986-87.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1986-87 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
02-501	Code Enforcement and Rehabilitation Fund		
90-03-00	Public Works - Building Inspection		
60-6021(052902)	Substandard Housing	$92,163	
20-2010 (774133)	Program Project Budget		
Project 004-01	Hardship Loans		$62,087
Project 004-02	Administrative Costs		
01 0010 (774133)	Permanent Salaries		22,185
04-0600	Retirement		3,304
04-0606	Social Security		1,331
04-0610	Health Service		604
10-1435	Fees, Licenses and Permits		2,652
	Total	$92,163	$92,163

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Charles Kat
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
John C Farrell
CONTROLLER
MAR 11 1987

RECOMMENDED:
Dianne Feinstein
MAYOR

1p-0875M-pg.3

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
March 30, 1987	§	April 6, 1987
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Walker	§	Ayes: Supervisors Hsieh Maher Molinari Nelder Silver Walker Ward
Absent: Supervisors Britt Maher Silver Ward	§	Absent: Supervisors Britt Gonzalez Hongisto Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-86-82

APR 17 1987
Date Approved

Dianne Feinstein
Mayor

FILE NO. 101-86-80

ORDINANCE NO. 123-87

RO #6727 SA # 90

(Government Funding)

APPROPRIATING $668,003 FOR AUTOMOTIVE VEHICLES AND COMMUNICATIONS EQUIPMENT, RESCINDING $668,003 FROM MANDATORY FRINGE BENEFITS, POLICE, FOR FISCAL YEAR 1986-87.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1986-87 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
38-02-51	Police		
	Mandatory Fringe Benefits		
04-0602 (582015)	Retirement - City Uniform	$668,003	
22-2201 (581066)	Automotive Vehicles		$594,188
22-2220 (581082)	Communications		73,815
	Total	$668,003	$668,003

APPROVED AS TO FORM:
LOUSIE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

[signature]
CONTROLLER

MAR 4 1987

RECOMMENDED:

[signature]
MAYOR

lp 0865M

Board of Supervisors, San Francisco

Passed for Second Reading
March 30, 1987

Ayes: Supervisors [redacted] Gonzalez Hongisto Hsieh Kennedy [redacted] Molinari Nelder [redacted] Walker [redacted]

Absent: Supervisors Britt Maher Ward Silver

Finally Passed
April 6, 1987

Ayes: Supervisors Hsieh Maher Molinari Nelder Silver Walker Ward

Absent: Supervisors Britt Gonzalez Hongisto Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Clerk

File No.
101-86-80

APR 17 1987
Date Approved

[signature]
Mayor

FILE NO. 101-86-78

ORDINANCE NO. 124-87

RO #6718 SA #123

(Government Funding)

APPROPRIATING $2,256 FOR TEMPORARY SALARIES AND RESCINDING $2,256 FROM PERMANENT SALARIES, BOARD OF PERMIT APPEALS, FISCAL YEAR 1986-87; PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1986-87 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
27 00-00	Board of Permit Appeals		
01-0010 (354019)	Permanent Salaries	$2,256	
02-0200	Temporary Salaries		$2,256
	Total	$2,256	$2,256

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM
LOUISE H. RENNE, CITY ATTORNEY

By: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

[signature]
CONTROLLER

FEB 24 1987

RECOMMENDED:

[signature]
MAYOR

lp-0857M

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 30, 1987	April 6, 1987
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Walker	Ayes: Supervisors Hsieh Maher Molinari Nelder Silver Walker Ward
Absent: Supervisors Britt Maher Silver Ward	Absent: Supervisors Britt Gonzalez Hongisto Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Clerk

File No.
101-86-78

Date Approved

[signature]
Mayor

FILE NO. 01-86-61

ORDINANCE NO. 125-87

RO# 6678 SA# 73

(Government Funding)

APPROPRIATING $947,611 FOR CAPITAL PROJECTS (MODERNIZATION OF ELEVATORS, SURGI-CENTER RENOVATION AND EXPANSION, STAFF DORMITORY FACILITY CONSTRUCTION, AND INFANT RESUSCITATION CENTER) AND RESCINDING $947,611 OF FACILITIES MAINTENANCE AND CAPITAL PROJECTS, SAN FRANCISCO GENERAL HOSPITAL FOR FISCAL YEAR 1986-87.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1986-87 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
86-01-00	San Francisco General Hospital		
21-2030 (460220)	Capital Improvment Project		
Project 614/01	Uninterruptable power system	$15,805	
616/01	Emergency Exit Doors	7,500	
617/01	Toxicology Laboratory	71,855	
656/01	S.F. General Hospital	333,961	
670/01	Wall Guards	2,375	
671/01	Laboratory Electrical Outlets	4,378	
682/01	Auxiliary Pharmacy	1,269	
698/01	Psych. Unit Modifications	5,189	
749/01	S.F.G.H. Building Structures	65,135	
99-00-00	General Fund Unallocated		
48-4830 (876789)	Contribution #36-001 - Hospital Operating Fund; 86-01-00 - San Francisco General Hospital		507,467
	Total	$507,467	$507,467

////// //////
////// //////

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
36-001	S.F.G.H. Operating Fund		
21-2020 (460154)	Facilities Maintenance Project		
Project 201/01	Fire Escape	6,790	
21-2030 (460162)	Capital Improvement Project		
Project 639/01	Tunnel Ventilation System	15,000	
625/01	Bldg 80/90 Parking Lot	78,000	
655/01	Pathology Morgue	340,354	
99-9990 (199471)	Contribution from #01-001 - General Fund 99-00-00 - General Fund Unallocated	507,467	
36-00-00	S.F.G.H. Operating Fund		
86-01-00	San Francisco General Hospital		
21-2030 (460162)	Capital Improvement Project		
Project 648/01	Bldg 80 - Elevators		$42,900
668/01	Surgi - Central		769,411
661/01	House Staff Dormitory		62,000
651/01	Infant Resuscitation		73,300
	Total	$947,611	$947,611

APPROVED AS TO FORM
LOUISE H. RENNE, CITY ATTORNEY

By: _____ CITY ATTORNEY

FUNDS AVAILABLE

By John C Farrell CONTROLLER

JAN 20 1987

RECOMMENDED:

Robert Gamble MAYOR

0804M-lp-pg.2&3

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
March 30, 1987	§	April 6, 1987
Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Walker	§	Ayes: Supervisors Hsieh Maher Molinari Nelder Silver Walker Ward
Absent: Supervisors Britt Maher Silver Ward	§	Absent: Supervisors Britt Gonzalez Hongisto Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-86-61

APR 17 1987

Amended in Committee 3/25/87

FILE NO. 101-86-85

ORDINANCE NO. 126-87

RO #6735 SA #132

(Government Funding)

APPROPRIATING $356,904 ~~$374,685~~ FOR OTHER PERSONAL SERVICES (TRANSCRIPTS) AND FEES AND OTHER COMPENSATION, SUPERIOR COURT, FOR FISCAL YEAR 1986-87.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1986-87 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
G.L. 496 (000026)	Unappropriated Revenue Reserve		
SUB. 000001	Contributed Revenue Reserve	$356,904 ~~$374,685~~	
10-00-00	Superior Court		
02-0180 (316083)	Other Personal Services (Transcripts)		$ 99,624 ~~$101,858~~
02-0400	Fees and Other Compensation		257,280 ~~272,027~~
	Total	$356,904 ~~$374,685~~	$356,904 ~~$374,685~~

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

[signature]
CONTROLLER

MAR 10 1987

RECOMMENDED:

N/R
MAYOR

lp-0875M-pg.4

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 30, 1987	April 6, 1987
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker	Ayes: Supervisors Hsieh Maher Molinari Nelder Silver Walker Ward
Absent: Supervisors Maher Ward	Absent: Supervisors Britt Gonzalez Hongisto Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Clerk

File No.
101-86-85

Date Approved

[signature]
Mayor

Amended in Committee 3/25/87

FILE NO. 101-86-83

ORDINANCE NO. 127-87

RO #6732 SA #127

(Government Funding)

/87

APPROPRIATING $62,278 ~~$68,500~~ FOR WORKERS' COMPENSATION, DEPARTMENT OF PUBLIC WORKS, FOR FISCAL YEAR 1986-87.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1986-87 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
02-092	Road Fund		
G.L. 490 (002071)	Unappropriated Revenue	$62,278 ~~$68,500~~	
90-09-00	Public Works - Bureau of Street & Sewer Repair		
30-3700 (784017)	Workers' Compensation		$62,278 ~~$68,500~~
	Total	$62,278 ~~$68,500~~	$62,278 ~~$68,500~~

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

[signature]
CONTROLLER

MAR 10 1987

RECOMMENDED:

[signature]
MAYOR

lp-0875M

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
March 30, 1987	April 6, 1987
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Molinari Nelder Silver Walker	Ayes: Supervisors Hsieh Maher Molinari Nelder Silver Walker Ward
Absent: Supervisors Maher Ward	Absent: Supervisors Britt Gonzalez Hongisto Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Clerk

File No. 101-86-83

APR 17 1987
Date Approved

[signature]
Mayor

FILE NO. 114-87-1 ORDINANCE NO. 128-87

(Building Wall Openings)

AMENDING SECTION 504(d) OF THE SAN FRANCISCO BUILDING CODE GOVERNING THE REQUIREMENTS FOR OPENINGS IN BUILDING WALLS WITHIN CERTAIN DISTANCES FROM THE PROPERTY LINE.

NOTE: Additions are underlined; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of the City and County of San Francisco:

Section 1. The San Francisco Building Code is hereby amended by amending Section 504(d) thereof to read as follows:

Sec. 504(d).

(d) Permitted Openings in Exterior Walls. For Group B, Division 2 and Group R Occupancies, openings in new building walls and new openings in existing building walls are permitted closer to the property line than the distances prescribed in Table No. 5-A and Chapters 18 through 21, provided the following conditions are met:

1. The openings are not required for light and air.

2. If the adjoining building contains R occupancy uses, the proposed opening shall not be located closer than six feet, measured in any direction, to any existing opening on the adjoining building unless the adjoining owner gives written consent. A copy of the consent shall be attached to the permit application. ((The adjoining building owner gives written consent, which consent is recorded against the deed of his property. A copy of the recorded consent shall be attached to the permit application.))

3. The owner of a building with such wall openings shall provide a recorded statement that such openings will be protected

or closed, as required by the Superintendent, with approved windows or wall construction in the event the adjoining property is improved in such a manner that the openings no longer comply with the subsection. A copy of this agreement shall be attached to the permit application.

4. No projections shall encroach over a private property line unless a recorded easement therefor is granted by the owner of the adjoining property.

5. The openings shall be located entirely above adjoining roof or, laterally, completely beyond any facing wall of adjoining buildings.

6. The openings shall be protected with fixed 3/4-hour fire assemblies; and, additionally, with either fire shutters or a sprinkler system complying with Section 3802(e).4. Alternatively, one of the following methods of opening protection may be used;

A. In lieu of the fixed 3/4-hour fire assemblies, the openings may be glazed with fixed wire glass. The sash shall be minimum 1/8-inch thick by 1 1/4-inch wide steel, and shall be assembled by welding, riveting, or interlocking by positive means. The areas of the window shall not exceed 84 square feet. Each glass light shall not exceed 350 square inches. Steel glazing stops or wire clips shall be used. Fire shutters or a sprinkler system shall also be be provided.

B. The openings are glazed with plain glass in steel sash. Both fire shutters and a sprinkler system shall be provided.

EXCEPTIONS (to B): 1. Fire shutters and sprinklers may be omitted where there is no building <u>within 25 feet</u> on the adjoining lot, or where the roof of the adjoining

BOARD OF SUPERVISORS

building is of Type I or II F.R. construction, or where the openings are more than 50 feet above any roof.

2. Plain glass in openable steel sash is permitted in openings more than 50 feet above adjoining building roof of Type I or II F.R. construction.

3. Windows located in walls that are not required to be of fire rated construction shall be non-openable, with 1/4-inch wire glass in any frame permitted by the Code. In Group R, Division 3 Occupancies, such windows need not be protected by sprinklers or fire shutters

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By Paula Jesson
Deputy City Attorney

3758j

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
April 6, 1987	§	April 13, 1987
Ayes: Supervisors Hsieh Maher Molinari Nelder Silver Walker Ward	§	Ayes: Supervisors Britt Gonzalez Hsieh Molinari Nelder Walker
Absent: Supervisors Britt Gonzalez Hongisto Kennedy	§	Absent: Supervisors Hongisto Maher Kennedy Silver Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
114-87-1

APR 24 1987
Date Approved

Dianne Feinstein
Mayor

FILE NO. 101-86-95

ORDINANCE NO. 129-87

RO #6764 SA #135

(Government Funding)

APPROPRIATING $579,942 FOR PROGRAM PROJECT BUDGET - SPECIAL ELECTION, TEMPORARY SALARIES, FEES AND OTHER COMPENSATION, OVERTIME, MANDATORY FRINGE BENEFITS, RENTAL OF PROPERTY, OTHER CONTRACTUAL SERVICES AND REPRODUCTION, REGISTRAR, FOR FISCAL YEAR 1986-87.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1986-87 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
G.L. 496 (000026)	Unappropriated Revenue Reserve		
SUB (000001)	Contributed Revenue Reserve	$579,942	
01-001	General Fund		
80-00-00	Registrar		
20-2010 (430025)	Program Project Budget		
Project 037-01	Special Election		
02-0200	Temporary Salaries		$164,285
02-0400	Fees and Other Compensation		162,414
03-0100	Overtime		25,000
04-0600	Mandatory Fringe Benefits		20,000
10-1460	Rental of Property		36,108
10-1090	Other Contractual Services		170,635
30-3500	Reproduction		1,500
	Total	$579,942	$579,942

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Board of Supervisors, San Francisco

Passed for Second Reading

April 13, 1987

Ayes: Supervisors Britt Gonzalez Hsieh Maher Molinari Nelder Walker

Absent: Supervisors Hongisto Silver Kennedy Ward

Finally Passed

April 20, 1987

Ayes: Supervisors Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward

Absent: Supervisors Britt Hongisto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 101-86-95

APR 24 1987

Date Approved

Mayor

FILE NO. 36-87-3.3 ORDINANCE NO. 130-87

(Height and Bulk - Chinatown Mixed Use Districts
Property Use Classification - Chinatown Mixed Use Districts)

AMENDING THE ZONING MAP OF THE CITY AND COUNTY OF SAN FRANCISCO FOR PROPERTY GENERALLY BOUNDED BY KEARNY STREET, COLUMBUS AVENUE, BROADWAY, POWELL STREET, WASHINGTON STREET, STOCKTON STREET AND BUSH STREET, TO RECLASSIFY HEIGHT AND BULK DISTRICTS 65-A, 65-D-2, 88-X, 105-A, 160-D, 160-F, 160-H, 300-H, AND 320-I LOCATED THEREIN TO 50-N, 65-N, 65-D-2, OR 65-85-N. AND AMENDING THE ZONING MAP OF THE CITY AND COUNTY OF SAN FRANCISCO FOR PROPERTY GENERALLY BOUNDED BY KEARNY STREET, COLUMBUS AVENUE, BROADWAY, POWELL STREET, WASHINGTON STREET, STOCKTON STREET AND BUSH STREET, TO RECLASSIFY PORTIONS OF PROPERTY THEREIN FROM BROADWAY NEIGHBORHOOD COMMERCIAL DISTRICT, C-2 AND FORMER C-3-C DISTRICTS TO CHINATOWN COMMUNITY BUSINESS, CHINATOWN VISITOR RETAIL AND CHINATOWN RESIDENTIAL NEIGHBORHOOD COMMERCIAL DISTRICTS AND TO ESTABLISH BOUNDARIES FOR THE CHINATOWN MIXED USE DISTRICTS.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Pursuant to the issuance and adoption of Environmental Evaluation 86.705ETZM, the following changes in height and bulk classifications are hereby adopted as an amendment to Section 1H of the Zoning Map of the City and County of San Francisco.

Description of Property	Height and Bulk District to be Superseded	Height and Bulk District Hereby Approved
Assessor's Block/Lots: 161/1; 162/13, 15, 16; 177/3-11, 19, 20, 21; 194/7A, 7-10, 23-33;	65-A	50-N
161/2-6; 162/10-12; 177/12-18; 178/1A, 1B, 1C, 2-4; 193/1-7, 9-14, 35; 194/11-16, 18, 20-22; 209/2-16; 210/1-7, 37-41, 43, 44; 225/1-7, 28-31; 226/1, 2, 17, 18, 21, 28-49; 241/11, 12, 14-16, 16A, 17; 242/1-3, 28-29, 55, 56; 257/1-3, 5, 9; 258/12-22; 270/11-16; 271/1A, 1-5;	88-X	
161/7; 178/5-10; 193/15-17, 20*, 21A, 25-29, 32-34;	105-A	
210/8-12, 13*, 15, 18-25, 27-29, 31, 33-36, 45, 46; 225/20-25;	160-D	
225/8; 242/27;	160-F	
226/11-14, 22-25; 241/18, 19, 25*;	160-H	
226/4--10, 26, 27; 227/11, 13-18, 20-27, 30-38, 40-45;	320-I	

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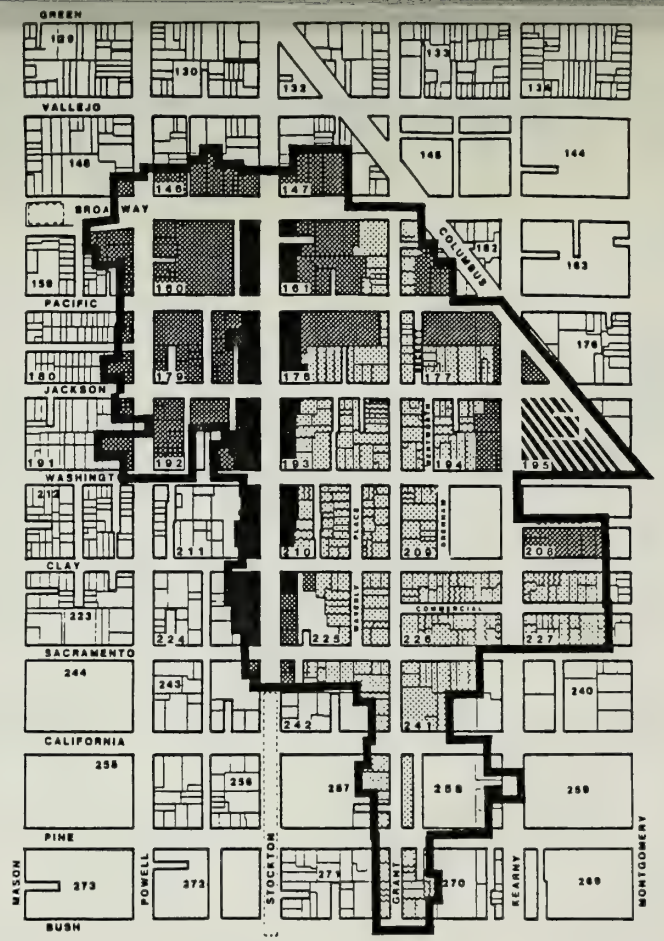
Description of Property	Height and Bulk District to be Superseded	Height and Bulk District Hereby Approved
Assessor's Block/Lots 146/5-11; 147/5, 7, 8, 8A, 8B, 9-12, 12A, 13; 148/7; 159/1, 2, 37, 38; 160/15-18, 28, 29; 161/30-32, 35-37, 39; 162/6, 8, 9; 176/11, 13; 177/1, 2, 22; 194/1-5, 5A, 6, 34;	65-A	65-N
159/3-7; 160/11-14, 14A, 29; 161/11, 13-15, 40; 178/1*; 179/12-18, 20, 21, 30-37, 39-40; 180/1-6; 191/1-3, 5, 6; 192/5, 7-14, 19, 24-27, 34, 41-43; 193/18;	105-A	65-N
225/14, 16, 19;	160-D	
225/13; 242/17, 18, 20-23, 25, 30; 243/58*;	160-F	
208/8-13	300-H	
195/5*, 12* 13-16;	65-A	65-D-2
195/4, 5*, 6-12;	65-D-2	65-D-2
160/1-4; 161/23, 24, 29;	65-A	65-85-N
160/5; 161/18-22;178/1*, 11-13; 179/1, 2, 6-8, 10, 10A, 11, 41, 42; 192/1-4; 39; 193/19, 20*, 21-24;	105-A	
210/13*, 14; 210A/2-6, 25-96; 211/1-6; 224/1-4, 33; 225/17;	160-D	
224/5, 6;	160-F	

* Indicates lot has been split between use districts or is partially included in a Mixed Use District. For portion in district see listing in Exhibit 1.

EXHIBIT 1 - Split Lots in Chinatown Permanent Height Reclassification

BLOCK	LOT	HEIGHT	FRONTAGE STREET	FRONTAGE DIMENSION	LOT DEPTH IN HEIGHT DISTS.
193	20	50-N	Ross Alley	21	139.8
210	13	50-N	Spofford	34.38	75.5
241	25	50-N	Sacramento	46	137
178	1	65-85-N	Stockton	171.5	100
243	58	65-N	Sacramento Stockton	60 107.5	107.5 81
178	1	65-N	Pacific	279.5	137.5
193	20	65-85-N	Stockton	23	60
210	19	65-85-N	Stockton	103.185	55



PROPOSED HEIGHT AND BULK DISTRICTS

50-N

65-N

65-85-N

65-D-2

Section 2. Pursuant to the issuance and adoption of Environmental Evaluation 86.705ETZM, the following changes in property use classification from Broadway Neighborhood Commercial District, C-2, and former C-3-C Districts to Chinatown Community Business District are hereby adopted as an amendment to Section 1 of the Zoning Map of the City and County of San Francisco.

Description of Property	Use Districts to be Superseded	Use Districts to be Approved.
Assessor's Block/Lots: 146/5-11, 147/5, 7, 8, 8A, 8B, 9, 10, 11, 12, 12A, 13; 148/7; 159/1, 2, 37, 38; 160/1, 2, 17, 18; 161/1, 29-32, 35, 36, 39, 162/15, 16;	C-2 Community Business	CCB Chinatown Community Business
176/11, 13; 177/1, 2; 194/1-5, 5A, 6, 34; 195/4, 5, 6-10;	C-2 Community Business	
208/8-13; 226/1-14, 17, 21-37, 41-49; 227/11, 13-18, 20-27, 30-38, 40-45; 241/16A, 16-19, 25*; 257/1-5, 9; 258/12-22; 270/11-16; 271/1A 1-5;	C-3-C Chinatown Downtown	

Section 3. Pursuant to the issuance and adoption of Environmental Evaluation 86.705ETZM the following changes in property use classification from the C-2 and former C-3-C Districts to the Chinatown Visitor Retail District are hereby adopted as an amendment to Section 1 of the Zoning Map of the City and County of San Francisco.

Description of Property	Use Districts to be Superseded	Use District to be Approved.
Assessor's Block/Lots 177/6*, 7*, 8*, 9-12, 13, 19; 178/3; 193/1-7, 9-14, 35; 194/7A, 7-16, 18, 20-22, 26-28, 31-33;	C-2 Community Business	CVR Chinatown Visitor Retail
209/2-16; 210/1-5, 41, 43; 225/1, 2*, 3*, 4*, 5, 56, 29, 31; 226/18, 38-40; 241/11, 12, 14, 15; 242/1, 2, 3, 29, 55, 56;	C-3-C Chinatown Downtown	

Section 4. Pursuant to the issuance and adoption of Environmental Evaluation 86.705ETZM the following changes in property use classification from C-2 and former C-3-C Districts to the Chinatown Residential Neighborhood Commercial District are hereby adopted as an amendment to Section 1 of the Zoning Map of the City and County of San Francisco.

Description of Property	Use Districts to be Superseded	Use District to be Approved.
Assessors Block/Lot 159/3-7; 160/3, 4, 5, 11-14, 14A; 161/2-7, 11, 13-15, 18-24, 37, 40; 162/6, 8-13; 177/3-5, 6*, 7*, 8*, 13, 14-18, 20, 21; 178/1A, 1B, 1C, 2, 4-13; 179/1, 2, 6-8, 10A, 10-18, 20, 30-37, 39-42; 180/1-6; 191/1-6; 192/1-5, 7-14, 19, 24-27, 34, 39, 41-43; 193/15-21, 21A, 22-29, 32-34; 194/23-25, 29, 30; 195/5, 11-16;	C-2 Community Business	CRNC Chinatown Residential Neighborhood Commercial District
210/6-15, 18-25, 27-29, 31-40, 45, 46; 210A/2-6, 25-95; 211/1-6; 224/1-6, 33; 225/2*, 3*, 4*, 7, 8, 13, 14, 16-25, 28, 29, 30; 242/17, 18, 20-23, 25, 27, 28, 30; 243/58*;	C-3-C Chinatown Downtown	

* Indicates lot has been split between use districts or is partially included in a Mixed Use District. For portion in district see listing in Exhibit 2.

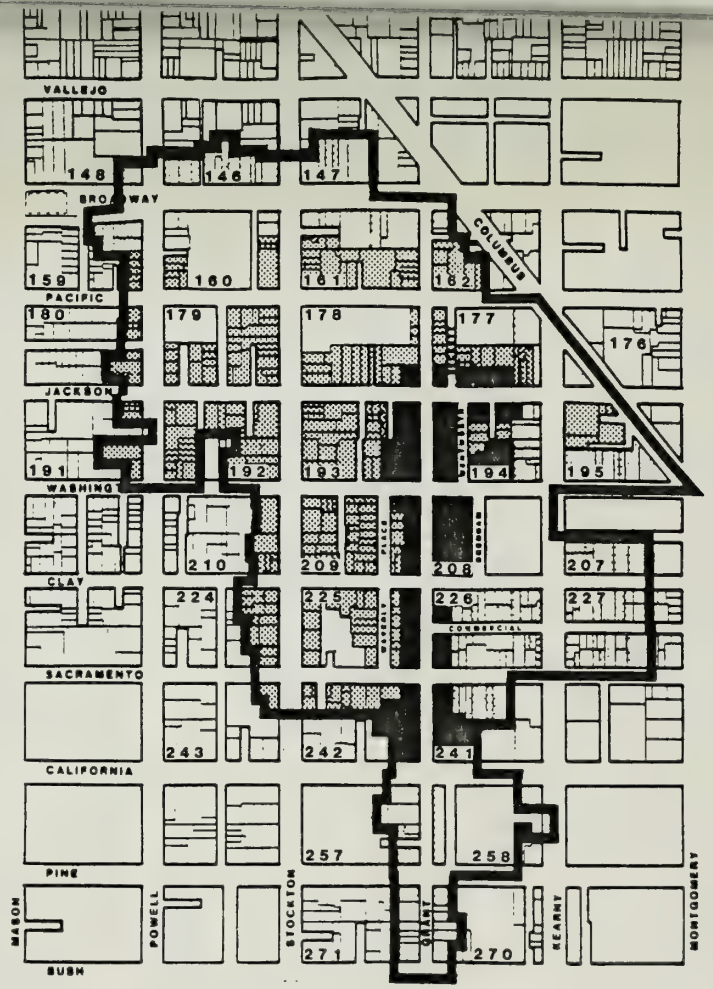
EXHIBIT 2 - Split Lots in Chinatown Permanent Use Reclassification

BLOCK	LOT	USE DISTRICT	FRONTAGE STREET	FRONTAGE DIMENSION	LOT DEPTH IN USE DISTRICT
195	12	C.C.B.*	Washington Ils Lane	52.9 48.3	127.5 105.6
241	25	C.C.B.*	Sacramento	46	137.5
177	6 7 8	C.V.R.*	Jackson	61.6 46.75 22	77.6 77.6 77.6
225	2 3 4	C.V.R.*	Grant	22.9 46 45.1	73.6 73.6 73.6
195	12	C.R.N.C.*	Columbus Ils Lane	N/A See Map 27.5	N/A See Map 107.5
225 243	2 3 4 58	C.R.N.C.*	Waverly Place Stockton Sacramento	22.9 46 45.1 107.5 60	36.8 36.8 36.8 81 107.5

*C.C.B. - Chinatown Community Business
C.V.R. - Chinatown Visitor Retail
C.R.N.C. - Chinatown Residential Neighborhood Commercial

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By Melba Yee
Deputy City Attorney



PROPOSED USE DISTRICTS

CHINATOWN COMMUNITY BUSINESS

CHINATOWN VISITOR RETAIL

CHINATOWN RESIDENTIAL/NEIGHBORHOOD COMMERCIAL

Board of Supervisors, San Francisco

Passed for Second Reading

April 6, 1987

Ayes: Supervisors Britt Hongisto Hsieh Molinari Nelder Silver Walker Ward

Absent: Supervisors Gonzalez Maher Kennedy

Finally Passed

April 13, 1987

Ayes: Supervisors Britt Gonzalez Hsieh Molinari Nelder Walker

Absent: Supervisors Hongisto Maher Kennedy Silver Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 36-87-3.3

APR 24 1987

Date Approved

Mayor

FILE NO. 36-87-3.2

Amendment of the Whole
Amended in Cmte. 3/31/87
ORDINANCE NO. 131-87

AMENDING PART II, CHAPTER II OF THE SAN FRANCISCO MUNICIPAL CODE (CITY PLANNING CODE) BY AMENDING SECTIONS 102, 124, 125, 135, 161, 178, 201, 208, 270 AND 307 TO CLARIFY DEFINITIONS PERTAINING TO NEW ARTICLE 8, REVISE FLOOR AREA RATIOS, CLARIFY FLOOR AREA PREMIUMS, ESTABLISH OPEN SPACE REQUIREMENTS, EXEMPT COMMERCIAL USES FROM PARKING REQUIREMENTS, REGULATE CONDITIONAL USES, INCLUDE CHINATOWN MIXED USE DISTRICTS IN LIST OF USE DISTRICTS, PROVIDE DENSITY LIMITATIONS FOR GROUP HOUSING IN CHINATOWN MIXED USE DISTRICTS, TO CREATE NEW BULK LIMITS FOR THE CHINATOWN AREA AND TO CLARIFY ADMINISTRATIVE REVIEW PROCEDURES AND BY ADDING SECTIONS 121.3, 121.4, 124.1, 132.3, 134.1, 135.1, 136.2, 145.3, 207.5, 254, 263.12, 263.6, AND 607.2 TO REGULATE SIZE OF LOTS AND USES, PROVIDE FOR FLOOR AREA RATIO EXCEPTIONS, ESTABLISH NEW DESIGN CONTROLS RELATING TO SUN ACCESS, SITE COVERAGE, OPEN SPACE, PROJECTION OF AWNINGS, CANOPIES OR MARQUEES, MAXIMUM STREET FRONTAGES, REGULATE DENSITY OF DWELLING UNITS, PROVIDE FOR REVIEW OF STRUCTURES OVER A SPECIFIED HEIGHT, PROVIDE CRITERIA FOR HEIGHT EXCEPTIONS, AND TO REGULATE SIGNS AND BY ADDING ARTICLE 8, ENCOMPASSING SECTIONS 801 THROUGH 899 TO REGULATE MIXED USE DISTRICTS AND ESTABLISH NEW CHINATOWN MIXED USE DISTRICTS AND TO PROVIDE DEFINITIONS FOR USES REGULATED IN ARTICLE 8; AND MAKING FINDINGS OF CONSISTENCY PURSUANT TO PLANNING CODE SECTION 101.1

Note: Additions and substitutions are indicated by <u>underlining</u>; deletions are indicated by ((double parentheses)), except for Article 8 which is all new.

Be it ordained by the People of the City and County of San Francisco:

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Section 1. Part II, Chapter II of the San Francisco Municipal Code (City Planning Code) is hereby amended by amending Sections 102, 124, 125, 135, 161, 178, 201, 208, 270 and 307 to clarify definitions pertaining to new Article 8, revise floor area ratios, clarify floor area premiums, establish open space requirements, exempt commercial uses from parking requirements, regulate conditional uses, include Chinatown Mixed Use Districts in the list of use districts, provide density limitations for group housing in Chinatown Mixed Use Districts, to create new bulk limits for the Chinatown Area and to clarify administrative review procedures and by adding Sections 121.3, 121.4, 124.1, 132.3, 134.1, 135.1, 136.2, 145.3, 207.5, 254, 263.12, 263.6, and 607.2 to regulate size of lots and uses, provide for floor area ratio exceptions, establish new design controls relating to sun access, site coverage, open space, projection of awnings, canopies or marquees, maximum street frontages, regulate density of dwelling units, provide for review of structures over a specified height, provide criteria for height exceptions, and to regulate signs.

Section 2. Part II of the San Francisco Municipal Code (City Planning Code) is hereby amended by adding Article 8, encompassing Section 801 through 899 to regulate mixed use districts and establish new Chinatown Mixed Use Districts, and to provide definitions for uses regulated in Article 8.

Section 3. Pursuant to Section 101.1 of the Planning Code the Board finds that the ordinance and associated zoning map amendments are consistent with the Priority Policies based on the following findings:

1) The rezoning is consistent with Policy 1. A major purpose of the use district classification is to preserve existing neighborhood uses. New retail uses will provide opportunities for resident employment and business ownership.

2) The rezoning is consistent with Policy 2. A major purpose of the new zoning controls is to preserve existing housing and neighborhood character. This is achieved through reduction of allowable height and density, establishment of several use districts to reinforce the established development pattern, restriction on the conversion and demolition of housing, and other related measures.

3) The rezoning is consistent with Policy 3. Conversion and demolition of housing is prohibited. Incentives are provided for the provision of new affordable housing.

4) The rezoning is consistent with Policy 4. Commercial growth is limited by the controls. Environmental evaluation indicates that the projected additional commuter traffic can be accommodated on streets in the area and will not significantly impede Muni service or over burden neighborhood parking.

5) The rezoning will not adversely affect Policy 5. Chinatown does not contain many uses that could be classified as part of the industrial and service sectors. Nevertheless the location of commercial office development is restricted which will serve to maintain a diverse economic base.

6) The rezoning will not adversely affect Policy 6. All new development will be constructed to comply with the seismic safety standards of city codes. Other measures are being undertaken to to achieve seismic safety in buildings which will be retained. These measures will be implemented by means other than changes in the zoning controls.

7) The rezoning will not adversely affect Policy 7. Landmarks and historic buildings will be preserved through the reduction of the development potential of building sites in Chinatown and the prohibition on the demolition and conversion of housing. Designation of a portion of the area as an historic district is under consideration.

8) The rezoning is consistent with Policy 8. Parks and open space and their access to sunlight and vistas are protected from development through height and bulk limitations and conditional use control of development which might cast shadows on certain heavily used sidewalks in Chinatown.

Sec. 102 **DEFINITIONS.**

For the purposes of this Code, certain words and terms used herein are defined as set forth in this and the following sections. *Additional definitions applicable only to Article 7, Neighborhood Commercial Districts, are set forth in Section 790.* Additional definitions applicable only to Article 8, Mixed Use Districts, are set forth in Section 890. All words used in the present tense shall include the future. All words in the plural number shall include the singular number and all words in the singular number shall include the plural number, unless the natural construction of the wording indicates otherwise. The word "shall" is mandatory and not directory. Whenever any of the following terms is used it shall mean the corresponding officer,. department, board or commission of the City and County of San Francisco, State of California herein referred to as the City: Assessor, Board of Supervisors, Department of City Planning, Department of Public Works, Director of Planning, City Planning Commission, Zoning Administrator. In each case the term shall be deemed to include an employee of any such officer or department of the City who is lawfully authorized to perform any duty or exercise any power as a representative or agent of that officer or department.

[Language in italics subject to Sunset Clause set forth in Ord. 69-87]

SEC. 102.4. **DISTRICT.**

A portion of the territory of the city, as shown on the Zoning Map, within which certain regulations and requirements or various combinations thereof apply under the provisions of this Code. The term "district" shall include any use, special use, height and bulk, or special sign district. The term "R district" shall mean any RH-1(D), RH-1, RH-1(S), RH-2, RH-3, RM-1, RM-2, RM-3, RM-4, RC-1, RC-2, RC-3, or RC-4 district. The term "C district" shall mean any C-1, C-2, C-3, or C-M district. The term "M district" shall mean any M-1 or M-2 district. The term "RH district" shall mean any RH-1(D), RH-1, RH-1(S), RH-2, or RH-3 district. The term "RM district" shall mean any RM-1, RM-2, RM-3, or RM-4 district. The term "RC district" shall mean any RC-1, RC-2, RC-3, or RC-4 district. The term "C-3 district" shall mean any C-3-O, C-3-R, C-3-G, or C-3-S district. *The term "NC district" shall mean any NC-1, NC-2, NC-3, NC-S, and any neighborhood commercial district identified by street or area name in Section 702.1.* The term "Mixed Use District" shall mean any Chinatown CB, Chinatown VR, Chinatown R/NC, named in Section 802.1.

[Language in italics subject to Sunset Clause set forth in Ord. 69-87]

SEC. 121.3. DEVELOPMENT ON LARGE LOTS, MIXED USE DISTRICTS.

In order to promote, protect, and maintain a scale of development which is appropriate to each Mixed Use district and complementary to adjacent buildings, new construction or enlargement of existing buildings on lots larger than the square footage stated in the table below shall be permitted as conditional uses subject to the provisions set forth in Section 303.

District	Lot Size Limits
Chinatown Community Business Residential/Neighborhood Commercial Visitor Retail	5000 sq.ft.

In addition to the criteria of Section 303(c) the City Planning Commission shall consider the following criteria:

1. The mass and facade of the proposed structure are compatible with the existing scale of the district.

2. The facade of the proposed structure is consistent with design features of adjacent facades that contribute to the positive visual quality of the district.

SEC. 121.4 USE SIZE LIMITS, (NON-RESIDENTIAL) MIXED USE DISTRICTS

In order to protect and maintain small scale use within an historically significant area and to conserve neighborhood-serving uses in Chinatown, commercial uses which exceed the use size limits up to the maximum limits stated in the table below shall be permitted only as conditional uses subject to the provisions set forth in Section 303 of this Code. The use area shall be measured as the gross floor area for each individual commercial use. Individual commercial uses above the maximum limit shall not be permitted.

District	Use Size Maximum	Use Size Limit
Chinatown Visitor Retail	5,000 sq. ft.	2,500 sq. ft.
Chinatown Residential Neighborhood Commercial	4,000 sq. ft.	2,500 sq. ft.
Chinatown Community Business	None	5,000 sq. ft.

- In the Chinatown Visitor Retail District, the Use Size Limit shall not apply to full service restaurants as defined in Sec. 890.92.

SEC. 124. BASIC FLOOR AREA RATIO.

(a) Except as provided in Subsections (b), (c) and (e) of this section, the basic floor area ratio limits specified in the following table shall apply to each building or development in the districts indicated.

TABLE 1
BASIC FLOOR AREA RATIO LIMITS

District	Basic Floor Area Ratio Limit
RH-1(D), RH-1, RH-1(S), RH-2, RH-3, RM-1, RM-2	1.8 to 1
RM-3	3.6 to 1
RM-4	4.8 to 1
RC-1, RC-2	1.8 to 1
RC-3	3.6 to 1
RC-4	4.8 to 1
NC-1	*0.75 to 1*
NC-S,	*1.0 to 1*
Outer Clement Street	
Haight Street,	
Sacramento Street,	*1.5 to 1*
24th Street-Noe Valley,	
West Portal Avenue	
NC-2,	
Inner Clement Street,	
Upper Fillmore Street,	*1.75 to 1*
North Beach,	
Valencia Street,	
24th-Mission Street	

Broadway,	
Castro Street,	
Hayes-Gough,	
Upper Market Street,	*2.5 to 1*
Polk Street,	
Union Street	
NC-3	*3.6 to 1*
Chinatown R/NC	1.0 to 1
Chinatown VR	2.0 to 1
Chinatown CB	2.8 to 1
C-1, C-2	3.6 to 1
C-2-C	4.8 to 1
C-3-C	6.0 to 1
C-3-O	9.0 to 1
C-3-R	6.0 to 1
C-3-G	6.0 to 1
C-3-S	5.0 to 1
C-3-O (SD)	6.0 to 1
C-M	9.0 to 1
M-1, M-2	5.0 to 1

(b) In R *((and)), NC,* and Mixed Use districts, the above floor area ratio limits shall not apply to dwellings *or to other residential uses. In NC districts, the above floor area ratio limits shall also not apply to non-accessory off-street parking.* In Chinatown Mixed Use districts, the above floor area ratio limits shall not apply to institutions, and mezzanine commercial space shall not be calculated as part of the floor area ratio.

(c) In a C-2 district the basic floor area ratio limit shall be 4.8 to 1 for a lot which is nearer to an RM-4 or RC-4 district than to any other R district, and 10.0 to 1 for a lot which is nearer to a C-3 district than to any R district. The distance to the nearest R district or C-3 district shall be measured from the midpoint of the front line, or from a point directly across the street therefrom, whichever gives the greatest ratio.

(d) In the Automotive Special Use District, as described in Section 237 of this Code, the basic floor area ratio limit shall be 10.0 to 1.

(e) In the Northern Waterfront Special Use Districts, as described in Sections 240 through 240.3 of this Code, the basic floor area ratio limit in any C district shall be 5.0 to 1.

(f) For buildings in C-3-G and C-3-S districts other than those designated as Significant or Contributory pursuant to Article 11 of this Code, additional square footage above that permitted by the base floor area ratio limits set forth above may be approved for construction of dwellings on the site of the building affordable for 20 years to households whose incomes are within 150 percent of the median income as defined herein, in accordance with the conditional use procedures and criteria as provided in Section 303 of this code.

1. Any dwelling approved for construction under this provision shall be deemed a designated unit as defined below. Prior to the issuance by the Superintendent of the Bureau of Building Inspection (Superintendent) of a site or building permit to construct any designated unit subject to this Section, the permit applicant shall notify the Director of Planning and the Director of Property in writing whether the unit will be an owned or rental unit as defined in Section 313(a) of this Code.

2. Within 60 days after the issuance by the Superintendent of a site or building permit for construction of any unit intended to be an owned unit, the Director of Planning shall notify the City Engineer in writing identifying the intended owned unit, and the Director of Property shall

appraise the fair market value of such unit as of the date of the appraisal, applying accepted valuation methods, and deliver a written appraisal of the unit to the Director of Planning and the permit applicant. The permit applicant shall supply all information to the Director of Property necessary to appraise the unit, including all plans and specifications.

3. Each designated unit shall be subject to the provisions of Sections 313(i) of this Code. For purposes of this Subsection and the application of Section 313(i) of this Code to designated units constructed pursuant to this Subsection, the definitions set forth in Section 313(a) shall apply, with the exception of the following definitions, which shall supersede the definitions of the terms set forth in Section 313(a):

(A) "Base price" shall mean 3.25 times the median income for a family of four (4) persons for the County of San Francisco as set forth in California Administrative Code Section 6932 on the date on which a housing unit is sold.

(B) "Base rent" shall mean .45 times the median income for the County of San Francisco as set forth in California Administrative Code Section 6932 for a family of a size equivalent to the number of persons residing in a household renting a designated unit.

(C) "Designated unit" shall mean a housing unit identified and reported to the Director by the sponsor of an office development project subject to this Subsection as a unit that shall be affordable to households of low or moderate income for 20 years.

(D) "Household of low or moderate income" shall mean a household composed of one or more persons with a combined annual net income for all adult members which does not exceed 150% of the qualifying limit for a median income family of a size equivalent to the number of persons residing in such household, as set forth for the County of San Francisco in California Administrative Code Section 6932.

(E) "Sponsor" shall mean an applicant seeking approval for construction of a project subject to this Subsection and such applicants' successors and assigns.

(g) In the Mid-South of Market Special Use District, as described in Section 249.1 of this Code, the basic floor area ratio limit for office uses shall be 2.0 to 1.

(h) The allowable gross floor area on a lot which is the site of an unlawfully demolished building that is governed by the provisions of Article 11 shall be the gross floor area of the demolished building for the period of time set forth in, and in accordance with the provisions of, Section 1114 of this Code, but not to exceed the basic floor area permitted by this Section.

(i) In calculating the permitted floor area of a new structure in a C-3 district, the lot on which an existing structure is located may not be included unless the existing structure and the new structure are made part of a single development complex, the existing structure is or is made architecturally compatible with the new structure, and, if the existing structure is in a Conservation District, the existing structure meets or is made to meet the standards of Section 1109(c), and the existing structure meets or is reinforced to meet the standards for seismic loads and forces of the 1975 Building Code. Determinations under this paragraph shall be made in accordance with the provisions of Section 309.

(j) In calculating allowable gross floor area on a preservation lot from which any TDRs have been transferred pursuant to Section 128, the amount allowed herein shall be decreased by the amount of gross floor area transferred.

[Language in italics subject to Sunset Clause set forth in Ord. 69-87]

SEC.124.1 FLOOR AREA RATIO EXCEPTIONS: CHINATOWN

- (a) The floor area ratios set forth for the Chinatown Residential Neighborhood Commercial District shall not apply to projects which have received commitment for Community Development Block Grant funds as of January 10, 1985 for creation of new housing. The applicable floor area ratios shall be those in effect on January 9, 1985.

  (b) In the Chinatown Community Business District, Chinatown Visitor Retail District and the Chinatown Residential Neighborhood Commercial District, mezzanine commercial space and institutional use shall not be included in computation of the floor area ratios. A deed restriction limiting the space to institutional use shall be recorded on the property by the property owner.

- (c) The floor area ratios set forth for the Chinatown Residential Neighborhood Commercial District shall not apply to Hospitals or Medical Centers. The applicable floor area ratio for Hospitals or Medical Centers shall be 4.8.

- (d) The floor area ratios set forth for the Chinatown Mixed Use District shall not apply to any existing business originally located within or partially within a Chinatown Mixed Use District as of the effective date of this ordinance which must relocate as a result of acquisition by the City and County of San Francisco of the real property on which the business is situated. Such use must be the same as that use existing on the effective date of the ordinance. The applicable floor area ratio shall be a maximum of 4.8 or a lesser amount sufficient to accommodate replacement of improved property and parking used on a regular basis in connection with the business needing to relocate as determined by the Zoning Administrator.

SEC. 125. FLOOR AREA PREMIUMS, DISTRICTS OTHER THAN *NC ((AND))* C-3 AND MIXED USE

In any district other than an *NC*, C-3, or Mixed Use district in which a floor area ratio limit applies, the following premiums, where applicable, may be added to the basic floor area ratio limit to determine the maximum floor area ratio for a building or development.

(a) For a lot or portion thereof which is defined by this Code as a corner lot, a floor area premium may be added by increasing the area of the lot or portion, for purposes of floor area computation, by 25 percent.

(b) For a lot or portion thereof which is defined by this Code as an interior lot, and which abuts along its rear lot line upon a street or alley, a floor area premium may be added by increasing the depth of the lot or portion along such street or alley, for purposes of floor area ratio computation, by one-half the width of such street or alley or 10 feet, whichever is the lesser.

[Language in italics subject to Sunset Clause set forth in Ord. 69-87]

SEC.132.3 SUN ACCESS FOR SIDEWALKS SETBACKS - CHINATOWN

(a) General. In order to preserve the openness of Chinatown's streets to the sky and to achieve as much sun as possible on public sidewalks having a high volume of pedestrian use, setbacks at specified heights or a series of setbacks within the same plane (profile angle) as a 15 foot setback at specified heights may be required, as a condition of approval of conditional use authorization otherwise required by Section 254 of the Code.

(b) Procedure. A fifteen foot setback requirement may be imposed in accordance with the provisions set forth below pursuant to the procedures for conditional use authorization set forth in Section 303 of this code.

(c) Setback Requirement.

15 FOOT SUN ACCESS SETBACKS FOR 50 FOOT AND 65 FOOT HEIGHT DISTRICTS IN CHINATOWN

Street Name	Street Width	Height District	Profile Angle	Height at which Setback Begins	Hours of Sun March - Sept. a.m.	p.m.
					Sides of Street	
Grant	44 feet	50 feet	66°	35 feet	10:00 E	3:30 W
Stockton	65	65	42°	51	8:45 E	3:45 W
Kearny	75	50	33°	40	9:00 E	3:45 W
Kearny	75	65	35°	52	8:45 E	3:45 W
Vallejo	69	65	43°	51	9:15 S	sunset S
Broadway	81	65	38°	54	7:45 S	sunset S
Pacific	50	65	49°	47	9:45 S	2:30 S
Washington	50	65	49°	47	9:45 S	2:30 S
Clay	50	65	49°	47	9:45 S	2:30 S
Sacramento	50	65	49°	47	9:45 S	2:30 S

(d) Encroachments. Encroachments may be permitted into the setbacks if a compensatory increase in sunlight on the sidewalk in the same block is achieved by a reduction of height or volume elsewhere in the structure.

SEC.134.1 SITE COVERAGE IN MIXED USE DISTRICTS - CHINATOWN

In the Chinatown Community Business District, Chinatown Visitor Retail District and the Chinatown Residential Neighborhood Commercial District at the lowest level occupied for dwelling, the site coverage shall be no more than 75%. The non-covered area requirement may be provided in a location other than the rear yard • including balconies & roof top terraces if the new structure does not significantly impede the access of light and air to adjacent properties, as determined by the Zoning Administrator.

Factors to be considered in such determination shall include, but shall not be limited to: preservation of light and air to existing windows and openings in the vicinity; usability of the non-covered space for residential open space purposes; and sun access to the non covered space and adjacent sidewalks.

SEC. 135. USABLE OPEN SPACE, R, *NC*, MIXED USE, C, AND M DISTRICTS.

Except as provided in Sections 134.1, 172 and 188 of this Code, usable open space shall be provided for each dwelling and each group housing structure in R, *NC*, C, Mixed Use and M districts according to the standards set forth in this section.

(a) Character of Space Provided. Usable open space shall be composed of an outdoor area or areas designed for outdoor living, recreation or landscaping, including such areas on the ground and on decks, balconies, porches and roofs, which are safe and suitably surfaced and screened, and which conform to the other requirements of this section. Such area or areas shall be on the same lot as the dwelling units (or bedrooms in group housing) they serve, and shall be designed and oriented in a manner that will make the best practical use of available sun and other climatic advantages. "Private usable open space" shall mean an area or areas private to and designed for use by only one dwelling unit (or bedroom in group housing). "Common usable open space" shall mean an area or areas designed for use jointly by two or more dwelling units (or bedrooms in group housing). In the Rincon Hill Special Use District, Residential Subdistrict, open space shall be provided as specified in Section 249.1(c)(4).

(b) Access. Usable open space shall be as close as is practical to the dwelling unit (or bedroom in group housing) for which it is required, and shall be accessible from such dwelling unit or bedroom as follows:

1. Private usable open space shall be directly and immediately accessible from such dwelling unit or bedroom; and shall be either on the same floor level as such dwelling unit or bedroom, with no more than one story above or below such floor level with convenient private access.

2. Common usable open space shall be easily and independently accessible from such dwelling unit or bedroom, or from another common area of the building or lot.

(c) Permitted obstructions. In the calculation of either private or common usable open space, those obstructions listed in Sections 136 *and 136.1* of this Code for usable open space shall be permitted.

(d) Amount required. Usable open space shall be provided for each building in the amounts specified herein and in the following table for the district in which the building is located; provided, however, that in the Rincon Hill Special Use District, Residential Subdistrict, open space shall be provided in the amounts specified in Section 249.1(c)(4).

In Neighborhood Commercial districts, the amount of usable open space to be provided shall be the amount required in the nearest Residential district, but the minimum amount of open space required shall be in no case greater than the amount set forth in Table 3 for the district in which the building is located. The distance to each Residential district shall be measured from the midpoint of the front lot line or from a point directly across the street therefrom, whichever requires less open space.

1. For dwellings, except as provided in Paragraph (d)3 below, the minimum amount of usable open space to be provided for use by each dwelling unit shall be as specified in the second column of the table if such usable open space is all private. Where common usable open space is used to satisfy all or part of the requirement for a dwelling unit, such common usable open space shall be provided in an amount equal to 1.33 square feet for each one square foot of private usable open space specified in the second column of the table. In such cases, the balance of the required usable open space may be provided as private usable open space, with full credit for each square foot of private usable open space so provided.

2. For group housing structures, the minimum amount of usable open space provided for use by each bedroom shall be 1/3 the amount required for a dwelling unit as specified in Paragraph (d)1 above. For purposes of these calculations, the number of bedrooms on a lot shall in no case be considered to be less than one bedroom for each two beds. Where the actual number of beds exceeds an average of two beds for each bedroom, each two beds shall be considered equivalent to one bedroom.

3. For dwellings specifically designed for and occupied by senior citizens or physically handicapped persons, as defined and regulated by Section 209.1(m) of this Code, the minimum amount of usable open space to be provided for use by each dwelling unit shall be 1/2 the amount required for each dwelling unit as specified in Paragraph (d)1 above.

(e) Slope. The slope of any area credited as either private or common usable open space shall not exceed five percent.

(f) Private usable open space: additional standards.

1. Minimum dimensions and minimum area. Any space credited as private usable open space shall have a minimum horizontal dimension of six feet and a minimum area of 36 square feet if located on a deck, balcony, porch or roof, and shall have a minimum horizontal dimension of 10 feet and a minimum area of 100 square feet if located on open ground, a terrace or the surface of an inner or outer court.

2. Exposure. In order to be credited as private usable open space, an area must be kept open in the following manner:

MINIMUM USABLE OPEN SPACE

District	Square Feet Of Usable Open Space Required For Each Dwelling Unit If All Private	Ratio of Common Usable Open Space That May Be Substituted for Private
RH-1(D), RH-1	300	1.33
RH-1(S)	300 for first unit; 100 for minor second unit	1.33
RH-2	125	1.33
RH-3	100	1.33
RM-1, RC-1	100	1.33
RM-2, RC-2	80	1.33
RM-3, RC-3	60	1.33
RM-4, RC-4	36	1.33
C-3, C-M, M-1, M-2,	36	1.33
C-1, C-2,	Same as for the R district establishing the dwelling unit density ratio for the C-1 or C-2 district property	
NC-1, NC-2, NC-S, Sacramento Street, West Portal Avenue	*Same as for the nearest R district but in case less than* *100*	*1.33*
NC-3, Castro Street, Inner Clement Street, Outer Clement Street, Upper Fillmore Street, Haight Street, Union Street, Valencia Street, 24th Street-Mission, 24th Street-Noe Valley	*Same as for the nearest R district but in case less than* *80*	*1.33*
Broadway, Hayes-Gough, Upper Market Street, North Beach, Polk Street	*Same as for the nearest R district but in case less than* *60*	*1.33*
Chinatown Community Business, Chinatown Residential Neighborhood Commercial, Chinatown Visitor Retail	48	1.00

(A) For decks, balconies, porches and roofs, at least 30 percent of the perimeter must be unobstructed except for necessary railings.

(B) In addition, the area credited on a deck, balcony, porch or roof must either face a street, face or be within a rear yard, or face or be within some other space which at the level of the private usable open space meets the minimum dimension and area requirements for common usable open space as specified in Paragraph 135(g)1 below.

(C) Areas within inner and outer courts, as defined by this Code, must either conform to the standards of Subparagraph (f)2(B) above or be so arranged that the height of the walls and projections above the court on at least three sides (or 75 percent of the perimeter, whichever is greater) is such that no point on any such wall or projection is higher than one foot for each foot that such point is horizontally distant from the opposite side of the clear space in the court, regardless of the permitted obstruction referred to in Subsection 135(c) above.

3. **Fire escapes as usable open space.** Normal fire escape grating shall not be considered suitable surfacing for usable open space. The steps of a fire escape stairway or ladder, and any space less than six feet deep between such steps and a wall of the building, shall not be credited as usable open space. But the mere potential use of a balcony area for an emergency fire exit by occupants of other dwelling units (or bedrooms in group housing) shall not prevent it from being credited as usable open space on grounds of lack of privacy or usability.

4. **Use of Solariums.** In C-3 districts, the area of a totally or partially enclosed solarium shall be credited as private usable open space if (i) such area is open to the outdoors through openings or clear glazing on not less than 50 percent of its perimeter and (ii) not less than 30 percent of its overhead area and 25 percent of its perimeter are open or can be opened to the air.

(g) **Common usable open space: additional standards.**

1. **Minimum dimensions and minimum area.** Any space credited as common usable open space shall be at least 15 feet in every horizontal dimension and shall have a minimum area of 300 square feet.

2. **Use of inner courts.** The area of an inner court, as defined by this Code, may be credited as common usable open space, if the enclosed space is not less than 20 feet in every horizontal dimension and 400 square feet in area; and if (regardless of the permitted obstructions referred to in Subsection 135(c) above) the height of the walls and projections above the court on at least three sides (or 75 percent of the perimeter, whichever is greater) is such that no point on any such wall or projection is higher than one foot

for each foot that such point is horizontally distant from the opposite side of the clear space in the court.

3. **Use of Solariums.** The area of a totally or partially enclosed solarium may be credited as common usable open space if the space is not less than 15 feet in every horizontal dimension and 300 square feet in area; and if such area is exposed to the sun through openings or clear glazing on not less than 30 percent of its perimeter and 30 percent of its overhead area; provided, however, that the Rincon Hill Special Use District, Residential Subdistrict, open space credit for solariums shall be as provided in Section 249.1(c)(4)(E).

[Language in italics subject to Sunset Clause set forth in Ord. 69-87]

135.1 OPEN SPACE REQUIREMENTS FOR USES OTHER THAN RESIDENTIAL IN CHINATOWN

(a) Requirements for Commercial and Institutional Development. For commercial and institutional development exceeding 10,000 gross sq. ft. in the Chinatown Mixed Use Zones whether new construction or net addition through alteration, including the Chinatown Community Business District, the Chinatown Visitor Retail District and the Chinatown Residential Neighborhood Commercial District established by the use provisions of Articles 2 and 8 of this Code, there shall be requirements for usable open space of 1 square foot for every 50 square feet of gross floor area of commercial or institutional space. This requirement shall not apply to commercial or institutional development of 10,000 square feet or less. Open space provided pursuant to this section shall be made open to the public during hours determined by the Zoning Administrator.

(b) Alternative Means of Satisfying the Commercial Open Space Requirement.

(1) If an open space satisfying the requirements of subsection (a) cannot be created because the square footage of open space is not of sufficient size to provide a usable open space the Zoning Administrator may authorize, as an eligible type of open space, improvements to an alleyway within a square block of the project site. The improvements shall include paving, landscaping, street furniture or other features appropriate for creating an attractive area for sitting and walking. The Zoning Administrator shall determine that the improvements would be an equivalent benefit to the community as the amount of open space that would have been created under subsection (a).

(2) If an open space satisfying the requirements and standards of this section cannot be provided because of constraints of the development site or because the square footage of open space to be provided is not of sufficient size and if the off-site options authorized by paragraph (1) above are found to be infeasible at the time of the project application, the Zoning Administrator may, upon application by the proposed developer pursuant to Section 307(g), waive the requirement that an open space be provided. It shall be a condition of any such waiver that the proposed developer pay the amount of $1.50 per gross square foot of floor area devoted to commercial or institutional use. Payment shall be paid in full to the City prior to the issuance of any temporary or other certificate of occupancy for the subject property. Funds received on account of any such payment shall be deposited in the Chinatown Open Space Fund established pursuant to Section 10.203 of the San Francisco Administrative Code.

(c) Cost and Restrictions. All costs of the open space, including without limitation those associated with design, development,

liability insurance, regular maintenance, and safe operation of this open space, shall be borne by the property owner. Liability insurance satisfactory to the Department, naming the City and County of San Francisco and its officers and employees as additional insureds, shall be provided for all such spaces. The property owner shall record with the County Recorder a special restriction on the property satisfactory in substance to the Department and sufficient to give notice to subsequent owners, tenants and other persons having other economic interests in the property of the open space requirement and the means by which the requirement has been, and must continue to be, satisfied. Additionally, the property owner shall post a plaque identifying the open space feature and stating the right of the public to use it.

(d) Approval and construction. The design and location of proposed open space and its ability to fulfill public open space needs shall be reviewed as part of the site or building permit application for the project in question and must be approved or disapproved by the Department in its action on that permit. The open space shall be constructed pursuant to the relevant permit, and no temporary or other certificate of occupancy shall be issued for any structure constructed under the permit until the open space is complete.

SEC. 136.2. OBSTRUCTIONS OVER STREETS AND ALLEYS AND IN REQUIRED SET-BACKS, YARDS, AND USABLE OPEN SPACE IN MIXED USE DISTRICTS.

In addition to the limitations of Section 136, especially Paragraph 136(c)12, the following provisions shall apply in Mixed Use districts.

(a) Awnings. All portions of any permitted awning shall be not less than 8 feet above the finished grade, excluding any valance which shall not be less than 7 feet above the finished grade. No portion of any awning shall be higher than the windowsill level of the lowest story (if any), exclusive of the ground story and mezzanine, provided that no such awning shall in any case exceed a height of 16 feet or the roofline of the building to which it is attached, whichever is lower.

1. Chinatown Residential Neighborhood Commercial District. The horizontal projection of any awning shall not exceed 4 feet from the face of a building. The vertical distance from the top to the bottom of any awning shall not exceed 4 feet, including any valance.

2. All other Mixed Use districts. When the width of all awnings is less than 10 feet along the direction of the street, the horizontal projection of such awnings shall not exceed 6 feet from the face of any supporting building and the vertical distance from the top to the bottom of such awnings shall not exceed 6 feet, including any valance. When the width of all awnings exceeds 10 feet measured along the direction of the street, the horizontal projection of such awnings shall not exceed 4 feet from the face of the supporting building and the vertical distance from the top to the bottom of such awnings shall not exceed 4 feet, including any valance.

(b) Canopies.

1. Chinatown Residential Neighborhood Commercial District. No canopy shall be permitted in any Residential Neighborhood Commercial district.

2. All other Mixed Use districts. The maximum width of any canopy shall be 10 feet. The horizontal projection of any canopy may extend to a point 2 feet from the curb. The outer column support shall be located in the outer one-third of the sidewalk. The vertical distance from the top to the bottom of the canopy shall not exceed 2 feet, including any valance. All portions of any canopy, excluding the column supports and excluding any valance which may be not less than 7 feet above the finished grade, shall be not less than 8 feet above the finished grade. Canopies shall not be spaced closer than 20 feet from each other, measured from center line to center line.

(c) Marquees.

Chinatown Residential Neighborhood Commercial District. No marquee shall be permitted in any Residential Neighborhood Commercial district.

2. All other Mixed Use districts. The vertical distance from the top to the bottom of any marquee shall not exceed 3 feet and the horizontal projection shall not extend beyond a point 2 feet from the curb.

(A) A marquee projecting more than two-thirds of the distance from the property line to the curb line shall not exceed 10 feet or 50 percent of the length of the building, along the direction of the street, whichever is less. All portions of such marquee shall be not less than 12 feet nor more than 16 feet in height above the finished grade, nor higher than the windowsill level, exclusive of the ground story and mezzanine. Each building frontage shall be considered separately.

(B) A marquee projecting less than two-thirds of the distance from the property line to the curb line shall not exceed 25 feet or 50 percent of the length of the building along the direction of the street, whichever is less. All portions of such marquee shall be not less than 10 feet nor more than 16 feet

(b) Canopies.

1. Chinatown Residential Neighborhood Commercial District. No canopy shall be permitted in any Residential Neighborhood Commercial district.

2. All other Mixed Use districts. The maximum width of any canopy shall be 10 feet. The horizontal projection of any canopy may extend to a point 2 feet from the curb. The outer column support shall be located in the outer one-third of the sidewalk. The vertical distance from the top to the bottom of the canopy shall not exceed 2 feet, including any valance. All portions of any canopy, excluding the column supports and excluding any valance which may be not less than 7 feet above the finished grade, shall be not less than 8 feet above the finished grade. Canopies shall not be spaced closer than 20 feet from each other, measured from center line to center line.

(c) Marquees.

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2. All other Mixed Use districts. The vertical distance from the top to the bottom of any marquee shall not exceed 3 feet and the horizontal projection shall not extend beyond a point 2 feet from the curb.

(A) A marquee projecting more than two-thirds of the distance from the property line to the curb line shall not exceed 10 feet or 50 percent of the length of the building, along the direction of the street, whichever is less. All portions of such marquee shall be not less than 12 feet nor more than 16 feet in height above the finished grade, nor higher than the windowsill level, exclusive of the ground story and mezzanine. Each building frontage shall be considered separately.

(B) A marquee projecting less than two-thirds of the distance from the property line to the curb line shall not exceed 25 feet or 50 percent of the length of the building along the direction of the street, whichever is less. All portions of such marquee shall be not less than 10 feet nor more than 16 feet

above the finished grade, nor higher than the windowsill level or windows on the building facade on which the marquee is placed, exclusive of the ground story and mezzanine. A separate building permit for a marquee shall be required for each building frontage.

145.3 MAXIMUM STREET FRONTAGES - CHINATOWN

(a) General. In the Chinatown Mixed Use Districts, including the Chinatown Community Business District, the Chinatown Visitor Retail District and the Chinatown Residential Neighborhood Commercial Districts, the street frontage of a building shall not exceed 50 feet in width. Street frontage exceptions may be approved as a conditional use in accordance with procedures and criteria of Section 303 of this code and the criteria set forth in Subsection (b) below.

(b) Criteria for Exceptions.

(1) Projects having more than 50 feet of street frontage shall be divided in architectural treatment to appear as two or more independent buildings reflecting the typical scale of older buildings in the Chinatown area. Architectural treatments may include varied types of windows and entries, individual storefronts and the use of differing colors and textures.

(2) Flat facade surfaces shall be broken up at least every thirty feet by the projection of bay windows or by vertical recesses.

(3) Facade divisions shall be reinforced by matching changes in height for portions of the building.

SEC. 161. EXEMPTIONS FROM OFF-STREET PARKING, FREIGHT LOADING AND SERVICE VEHICLE REQUIREMENTS.

The following exemptions shall apply to the requirements for off-street parking and loading spaces set forth in Sections 151 through 155 of this Code. These provisions, as exemptions, shall be narrowly construed.

(a) No off-street parking shall be required for a one-family or two-family dwelling where the lot on which such dwelling is located is entirely inaccessible by automobile because of topographic conditions.

(b) No off-street loading shall be required where access to the lot cannot be provided other than by means of a driveway across a sidewalk 25 feet or more in width from the curb to the front lot line which would cause serious disruption to pedestrian traffic.

(c) In recognition of the compact and congested nature of the downtown area and portions of Chinatown, the accessibility of this area by public transit, and programs for provision of public parking facilities on an organized basis at specific locations, no off-street parking shall be required for any use, other than dwellings where a requirement is specified, in any C-3, Chinatown Visitor Retail, or Chinatown Residential Neighborhood Commercial districts.

(d) In recognition of the small scale of development, the desirability of retention and conversion of many existing buildings of established character, the need to relieve congestion, and the provision of public parking facilities on an organized basis at specific locations, no off-street parking shall be required for any use other than dwellings in the ((Washington Broadway Special Use District Numbers 1 and 2 as described in Section 239 of this Code)) Chinatown Community Business District, where the size of the lot does not exceed 20,000 square feet.

(e) In recognition of the close neighborhood orientation of the uses provided for in Residential-Commercial Combined districts of high density, no off-street parking shall be required for any principal use in an RC-4 district for which the form of measurement is occupied floor area, where the occupied floor area of such use does not exceed 10,000 square feet.

(f) In recognition of the policies set forth in The Plan for the Northeastern Waterfront, a part of the Master Plan, the unique nature of the area and the difficulty of providing vehicular access thereto, the City Planning Commission in specific cases may determine an appropriate reduction in off-street parking requirements in the Northern Waterfront Special Use District Number 1 as described in Section 240.1 of this Code, in authorizing any conditional use under that section. In considering any such reduction, the City Planning Commission shall consider the following criteria:

1. The anticipated parking demand to be generated by the particular use contemplated;

2. Accessibility to the proposed site from freeway ramps or from major thoroughfares;

3. Minimization of conflict of vehicular and pedestrian movements;

4. The service patterns of forms of transportation other than the automobile;

5. The pattern of land uses and the availability of parking in the vicinity;

6. The policies set forth in The Plan for the Northeastern Waterfront, including policies concerning the relative emphasis that should be given to pedestrian and vehicular movement; and

7. Such other criteria as may be deemed appropriate in the circumstances of the particular case.

(g) In instances in which all public agencies involved have certified by resolution that the requirements of this Code (i) will be satisfied in whole or in part by public off-street parking facilities constructed or authorized to be constructed for a special assessment district or upon any other basis, or (ii) in C-3 districts will be satisfied by a requirement of a cash contribution in an amount deemed sufficient to provide for the future construction of the required number of parking stalls, off-street parking required for individual buildings and uses may be correspondingly reduced if the total off-street parking supply in the area will nevertheless meet the requirements of this Code for all buildings and uses in the area.

(h) The off-street parking requirements for dwelling units in the North of Market Residential Special Use District, as described in Section 249.5 of this Code, may be reduced by the City Planning Commission pursuant to the procedures for conditional use authorization set forth in Section 303 of this Code. In acting upon any application for a reduction of requirements, the City Planning Commission shall consider the criteria set forth below in lieu of the criteria set forth in Section 303(c), and may grant the reduction if it finds that:

1. The reduction in the parking requirement is justified by the reasonably anticipated auto usage by residents of and visitors to the project; and

2. The reduction in the parking requirement will not be detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity.

(i) In recognition of the fact that site constraints in C-3 Districts may make provision of required freight loading and service vehicle spaces impractical or undesirable, a reduction in or waiver of the provision of freight loading and service vehicle spaces for uses in C-3 Districts may be permitted, in accordance with the provisions of Section 309 of this Code. In considering any such reduction or waiver, the following criteria shall be considered:

1. Provision of freight loading ad service vehicle spaces cannot be accomplished underground because site constraints will not permit ramps, elevators, turntables and maneuvering areas with reasonable safety;

2. Provision of the required number of freight loading and service vehicle spaces on-site would result in the use of an unreasonable percentage of ground-floor area, and thereby preclude more desirable use of the ground floor for retail, pedestrian circulation or open space uses;

3. A jointly used underground facility with access to a number of separate buildings and meeting the collective needs for freight loading and service vehicles for all uses in the buildings involved, cannot be provided; and

4. Spaces for delivery functions can be provided at the adjacent curb without adverse effect on pedestrian circulation, transit operations or general traffic circulation, and off-street space permanently reserved for service vehicles is provided either on-site or in the immediate vicinity of the building.

(j) *The off-street parking requirements for dwelling units in NC districts, as described in Article 7 of this Code, may be reduced by the City Planning Commission pursuant to the procedures for conditional use authorization set forth in Section 303 of this Code. In acting upon any application for a reduction of requirements, the City Planning Commission shall consider the criteria set forth below in lieu of the criteria set forth in Section 303(c), and may grant the reduction if it finds that:*

1. *The reduction in the parking requirement is justified by the reasonably anticipated auto usage by residents of and visitors to the project; and*

2. *The reduction in the parking requirement will not be detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity.*

(k) Reserved

(l) Reserved

(m) Reserved

(n) Reserved

(o) With respect to dwelling units in the Chinatown Mixed Use districts, the parking requirement may be reduced to not less than one space for each four dwelling units, if the Zoning Administrator determines pursuant to Section 307(g) that the reduced parking requirement is sufficient to serve the reasonably anticipated auto ownership by residents of and auto usage by visitors to the project.

[Language in italics subject to Sunset Clause set forth in Ord. 69-87]

ARTICLE 1.7

COMPLIANCE

SEC. 178. CONDITIONAL USES.

The following provisions shall apply to conditional uses:

(a) Definition. For the purposes of this Section, a permitted conditional use shall refer to:

1. Any use or feature authorized as a conditional use pursuant to Article 3 of this Code, provided that such use or feature was established within the time limits specified as a condition of authorization or, if no time limit was specified, within a reasonable time from the date of authorization; or

2. Any use or feature which is classified as a conditional use in the district in which it is located and which lawfully existed either on the effective date of this Code, or on the effective date of any amendment imposing new conditional use requirements upon such use or feature; or

3. Any use deemed to be a permitted conditional use pursuant to Section 179 of this Code.

(b) Continuation. Except as provided for temporary uses in Section 205 of this Code, and except where time limits are otherwise specified as a condition of authorization, any permitted conditional use may continue in the form in which it was authorized, or in the form in which it lawfully existed either on the effective date of this Code or the effective date of any amendment imposing new conditional use requirements upon such use or feature, unless otherwise provided in this Section or in Article 2 of this Code.

(c) Enlargements or Alteration. A permitted conditional use may not be significantly altered, enlarged, or intensified, except upon approval of a new conditional use application pursuant to the provisions of Article 3 of this Code.

(d) Abandonment. A permitted conditional use which is discontinued for a period of three years, or otherwise abandoned, shall not be restored, except upon approval of a new conditional use application pursuant to the provisions of Article 3 of this Code.

(e) Changes in Use. The following provisions shall apply to permitted conditional uses with respect to changes in use:

1. *A permitted conditional use may be changed to another use listed in Articles 2 or 7 or 8 of this Code as a principal use for the district in which it is located and the new use may thereafter be continued as a permitted principal use.*

2. *A permitted conditional use may be changed to another use listed in Articles 2 or 7 or 8 of this Code as a conditional use for the district in which the property is located, subject to the other applicable provisions of this Code, only upon approval of a new conditional use application, pursuant to the provisions of Article 3 of this Code.*

3. *A permitted conditional use may not be changed to another use not permitted or prohibited by Articles 2 or 7 or 8 of this Code. If a permitted conditional use has been wrongfully changed to another use in violation of the foregoing provisions and the violation is not immediately corrected when required by the Zoning Administrator, the wrongful change shall be deemed to be a discontinuance or abandonment of the permitted conditional use.*

4. *Once a permitted conditional use has been changed to a principal use permitted in the district in which the property is located, or brought closer in any other manner to conformity with the use limitations of this Code, the use of the property may not thereafter be returned to its former permitted conditional use status, except upon approval of a new conditional use application pursuant to the provisions of Article 3 of this Code.*

(f) Notwithstanding the foregoing provisions of this Section 178, a structure occupied by a permitted conditional use that is damaged or destroyed by fire, or other calamity, or by Act of God, or by the public enemy, may be restored to its former condition and use without the approval of a new conditional use application, provided that such restoration is permitted by the Building Code, and is started within one year and diligently pursued to completion. Except as provided in Subsection (g) below, no structure occupied by a permitted conditional use that is voluntarily razed or required by law to be razed by the owner thereof may thereafter be restored except upon approval of a new conditional use application pursuant to the provisions of Article 3 of this Code.

(g) None of the provisions of this Section 178 shall be construed to prevent any measures of construction, alteration or demolition necessary to correct the unsafe or dangerous condition of any structure, other feature, or part thereof, where such condition has been declared unsafe or dangerous by the Superintendent of the Bureau of Building Inspection or the Chief of the Bureau of Fire Prevention and Public Safety, and where the proposed measures have been declared necessary,

by such official, to correct the said condition; provided, however, that only such work is absolutely necessary to correct the unsafe or dangerous condition may be performed pursuant to this section.

[Language in italics subject to Sunset Clause set forth in Ord. 69-87]

ARTICLE 2
USE DISTRICTS

NC Districts are located in Article 7 of this Code.

Mixed Use Districts are located in Article 8 of this Code.

SEC. 201. CLASSES OF USE DISTRICTS.

In order to carry out the purposes and provisions of this Code, the city is hereby divided into the following classes of use districts:

P	Public Use Districts
RH-1(D)	Residential, House Districts, One-Family (Detached Dwellings)
RH-1	Residential, House Districts, One-Family
RH-1(S)	Residential, House Districts, One-Family with Minor Second Unit
RH-2	Residential, House Districts, Two-Family
RH-3	Residential, House Districts, Three-Family
RM-1	Residential, Mixed Districts, Low Density
RM-2	Residential, Mixed Districts, Moderate Density
RM-3	Residential, Mixed Districts, Medium Density
RM-4	Residential, Mixed Districts, High Density
RC-1	Residential-Commercial Combined Districts, Low Density
RC-2	Residential-Commercial Combined Districts, Moderate Density
RC-3	Residential-Commercial Combined Districts, Medium Density
RC-4	Residential-Commercial Combined Districts, High Density

NEIGHBORHOOD COMMERCIAL DISTRICTS (Also see Article 7)

General Area Districts

NC-1	*Neighborhood Commercial Cluster District*
NC-2	*Small-Scale Neighborhood Commercial District*
NC-3	*Moderate-Scale Neighborhood Commercial District*
NC-S	*Neighborhood Commercial Shopping Center District*

Individual Area Districts

Broadway Neighborhood Commercial District
Castro Street Neighborhood Commercial District

Inner Clement Street Neighborhood Commercial District
Outer Clement Street Neighborhood Commercial District
Upper Fillmore Street Neighborhood Commercial District
Haight Street Neighborhood Commercial District
Hayes-Gough Neighborhood Commercial District
Upper Market Street Neighborhood Commercial District
North Beach Neighborhood Commercial District
Polk Street Neighborhood Commercial District
Sacramento Street Neighborhood Commercial District
Union Street Neighborhood Commercial District
Valencia Street Neighborhood Commercial District
24th Street-Mission Neighborhood Commercial District
24th Street-Noe Valley Neighborhood Commercial District
West Portal Avenue Neighborhood Commercial District

Chinatown Mixed Use Districts (Also see Article 8)

CCB	Chinatown Community Business District
CR/NC	Chinatown Residential/Neighborhood Commercial District
CVR	Chinatown Visitor Retail District
C-1	Neighborhood Shopping Districts
C-2	Community Business Districts
C-M	Heavy Commercial Districts
C-3-O	Downtown Office District
C-3-R	Downtown Retail District
C-3-G	Downtown General Commercial District
C-3-S	Downtown Support District
M-1	Light Industrial Districts
M-2	Heavy Industrial Districts

[Language in italics subject to Sunset Clause set forth in Ord. 69-87]

SEC. 207.5. DENSITY OF DWELLING UNITS IN MIXED USE DISTRICTS

The dwelling unit density in the Chinatown Mixed Use District shall be at a density ratio not exceeding the amount set forth in the following table.

General Area District	Residential Density Limits
Chinatown Community Business	One dwelling unit for each 200 sq. ft. of lot area
Chinatown Residential Neighborhood Commercial	One dwelling unit for each 200 sq. ft. of lot area
Chinatown Visitor Retail	One dwelling unit for each 200 sq. ft. of lot area

SEC. 208. DENSITY LIMITATIONS FOR GROUP HOUSING *((IN R AND NC DISTRICTS))*

The density limitations for group housing, as described in Sections 209.2(a), (b), and (c) *and 790.88 (b)* of this Code, shall be as follows:

(a) The maximum number of bedrooms on each lot shall be as specified in the following table for the district in which the lot is located, *except that for lots in NC districts, the group housing density shall not exceed the number of bedrooms permitted in the nearest Residential district provided that the maximum density not be less than the amount permitted by the ratio specified for the NC district in which the lot is located.*

TABLE 5A

MAXIMUM DENSITY FOR GROUP HOUSING

District	Minimum Number of Square Feet of Lot Area for Each Bedroom
RH-2	415
RH-3, RM-1, RC-1	275
RM-2, RC-2	210
RM-3, RC-3	140
RM-4, RC-4	70
NC-1,	
NC-2,	
NC-S,	*275*
Sacramento Street,	
West Portal Avenue	
NC-3,	
NC-S,	
Castro Street,	210
Inner Clement Street,	
Outer Clement Street,	

Upper Fillmore Street,	
Haight Street,	
Union Street,	
Valencia Street,	*210*
24th Street-Mission,	
24th Street-Noe Valley	
Broadway,	
Hayes-Gough,	
Upper Market Street,	*140*
North Beach,	
Polk Street	
Chinatown Community Business Chinatown Residential Neighborhood Commercial Chinatown Visitor Retail	70

(b) For purposes of calculating the maximum density for group housing as set forth herein, the number of bedrooms on a lot shall in no case considered to be less than one bedroom for each two beds. Where the actual number of beds exceeds an average of two beds for each bedroom, each two beds shall be considered equivalent to one bedroom.

(c) The rules for calculation of dwelling unit densities set forth in Section 207.1 shall also apply in calculation of the density limitations for group housing, *except that in NC districts, any remaining fraction of one-half or more of the maximum amount of lot area per bedroom shall be adjusted upward to the next higher whole number of bedrooms.*

[Language in italics subject to Sunset Clause set forth in Ord. 69-87]

SECTION 254 REVIEW OF PROPOSED BUILDINGS AND STRUCTURES EXCEEDING A HEIGHT OF 35 FEET IN CHINATOWN MIXED USE DISTRICTS

In the Chinatown Community Business District, the Chinatown Visitor Retail District and the Chinatown Residential Neighborhood Commercial Districts established by the use provisions of Articles 2 and 8 of this Code, in order to insure consideration of sun access on adjacent public sidewalk as specified in Section 132.3, whenever a height limit of more than thirty-five feet is prescribed by the height and bulk district in which the property is located, any building or structure exceeding thirty-five feet shall be permitted only upon approval of a conditional use by the City Planning Commission, according to procedures for conditional use approval in Section 303 of this Code.

263.6 SPECIAL HEIGHT EXCEPTIONS: CHINATOWN CORNERS AND PARAPETS

(a) In the Chinatown Community Business District, the Chinatown Visitor Retail District and the Chinatown Residential Neighborhood Commercial District, height exceptions to 50-foot or 65-foot height districts may be approved for certain features according to procedures for conditional use approval in Section 303 of this Code.

The purpose of allowing the exception is, in the case of corners of buildings, to help define the larger space of the intersection and in the case of parapets to reassert the traditional Chinatown pattern.

(b) In addition to requirements of Section 303, such a height exception may be permitted provided that:

(1) The structure is on a corner lot and the feature exceeding the height limit consists of a decorative pavilion, sculpture or pagoda which does not exceed 150 square feet in size, or

(2) The additional height is for a decorative parapet similar to those existing in the Chinatown area and does not extend more than eight feet above the height limit.

SECTION 263.12 SPECIAL HEIGHT EXCEPTIONS: PORTION OF CHINATOWN RESIDENTIAL NEIGHBORHOOD COMMERCIAL DISTRICT

(a) General. In the 65N-85N height and bulk district, as designated on Sectional Map No. 1H of the Zoning Map, located within the boundaries of the Chinatown Residential Neighborhood Commercial District, height exceptions may be approved above the sixty five foot base height to a maximum of 85 feet, in accordance with the conditional use procedures and criteria provided in Section 303 of this Code and with the criteria and conditions set forth in subsection (c) below.

(1) When the developer of housing whether dwelling units or group housing agrees to construct 25% of the total units of a housing or mixed use development for persons and families of moderate income as defined in Section 313(a)(12) and such units shall remain affordable to such households for 30 years.

(2) When the developer of housing agrees to construct 10% of the total units of a housing or mixed use development for persons or families of low income as defined in Section 313(a) (13) and such units shall remain affordable to such households for 30 years.

(3) When floor area at least equal to that permitted above the sixty-five foot base height will be occupied by medical or social services primarily directed to low income persons or families and provision of space for such services is included in an approved Institutional Master Plan pursuant to Section 304.5 of this Code.

(b) Findings and Purposes. In this district, heights higher than 65 feet would encourage the construction of additional low rent dwellings to serve housing and other needs in the City, or provision of services to low income households provided that the structure does not adversely affect a building identified as having individual architectural and historical significance and is designed to reduce shadows on public sidewalks and parks, to reduce adverse wind impacts to adjacent uses, to provide an appropriate height transition to adjacent higher or lower buildings, and to otherwise satisfy subsection (c) below and the conditional use criteria of this Code, and would benefit the public.

(c) Conditions.

(1) The City Planning Commission shall impose conditions on the approval of additional height pursuant to this subsection to mitigate the impact that such height may have on adjacent uses and property and to assure the enforceability and enforcement of housing affordability and use provisions, which shall include, but need not be limited to, a requirement that each housing unit of an

approved structure remain affordable to households of low or moderate income for a period of not less than 30 years from the date of the first recording of a deed of trust provided that such unit is in conformity with subsection (c)(2) below and Section 313(i).

(2) The permit applicant shall designate housing units, which may be above or below the 65-foot base height limit, which shall be affordable to those households specified in subsection (a). Prior to the issuance by the Superintendent of the Bureau of Building Inspection (Superintendent) of a site or building permit to construct any designated unit subject to this Section, the permit applicant shall notify the Director of Planning and the Director of Property in writing whether the unit will be an owned or rental unit as defined in Section 313(a) of this Code.

(3) Within 60 days after the issuance by the Superintendent of a site or building permit for construction of any unit intended to be an owned unit, the Director of Planning shall notify the City Engineer in writing identifying the intended owned unit, and the Director of Property shall appraise the fair market value of such unit as of the date of the appraisal, applying accepted valuation methods, and deliver a written appraisal of the unit to the Director of Planning and the permit applicant. The permit applicant shall supply all information to the Director of Property necessary to appraise the unit, including all plans and specifications.

(4) Each designated unit shall be subject to the provisions of Section 313(i) and (j) of this Code. For purposes of this subsection and the application of Section 313(i) and (j) of this Code to designated units constructed pursuant to this subsection, the definitions set forth in Section 313(a)(2), (3), (4), (5), (6), (8), (9), (11), (12), (13), (14), (16), (20), (21), (22), (24), (25) and (26) shall apply.

SEC. 270. BULK LIMITS: MEASUREMENT.

(a) The limits upon the bulk of buildings and structures shall be as stated in this section and in Section 271 and 272. The terms "height", "plan dimensions", "length" and "diagonal dimensions" shall be as defined in this Code. In each height and bulk district, the maximum plan dimensions shall be as specified in the following table, at all horizontal cross sections above the height indicated.

TABLE 7
BULK LIMITS

District Symbol on Zoning Map	Height Above Which Maximum Dimensions Apply (in feet)	Maximum Plan Dimensions (in feet) Length	Diagonal Dimension
A	40	110	125
B	50	110	125
C	80	110	125
D	40	110	140
E	65	110	140
F	80	110	140
G	80	170	200
H	100	170	200
I	150	170	200
J	40	250	300
K	60	250	300
L	80	250	300
M	100	250	300
N	40	50	100
R	51	200	200
R	105	110	125
OS	See Section 290.		
S	This table not applicable. But see Section 270(d).		
T	At setback height established pursuant to Section 132.2, but no higher than 80 feet.		
X	This table not applicable. But see Section 260(a)3.		

(b) These limits shall not apply to the buildings, structures and equipment listed in Section 260(b)2(K), (L), (M) and (N) of this Code, subject to the limitations expressed therein.

(c) Maximum plan lengths and diagonal dimensions do not apply to cornices or other decorative projections.

(d) The bulk limits contained in this subsection shall apply in S Bulk Districts as designated on Sectional Map Nos. 1H, 2H and 7H of the Zoning Map.

1. Base. The base is the lowest portion of the building extending vertically to a streetwall height up to 1.25 times the width of the widest abutting street or 50 feet, whichever is more. There are no length or diagonal dimension limitations applicable to the base. The building base shall be delineated from the lower and upper tower and related to abutting buildings by a setback, cornice line or equivalent projection or other appropriate means.

2. Lower Tower.

(A) Dimensions. Bulk controls for the lower tower apply to that portion of the building height above the base as shown on Chart B. For buildings of less than 160 feet in height, the lower tower controls are the only bulk controls above the base of the building. The bulk controls for the lower tower are a maximum length of 160 feet, a maximum floor size of 20,000 square feet, and a maximum diagonal dimension of 190 feet.

(B) Additional Bulk for Elevators. Solely in order to accommodate additional elevators required by tall buildings the lower portion (up to the height shown on Chart B) of the lower tower of a building 500 feet tall or taller may be enlarged up to a maximum length of 190 feet, a maximum diagonal dimension of 230 feet and a maximum floor size of up to 25,000 square feet without a corresponding reduction in upper floor size.

3. Upper Tower

(A) Dimensions. Upper tower bulk controls apply to buildings taller than 160 feet. They apply to the upper tower portion of a building up to the height shown on Chart B which height excludes the vertical attachment and other features exempted by Section 260 and excludes the extended upper tower height exceptions provided for in Section 263.7 of this Code. The bulk controls for the upper tower are: a

maximum length of 130 feet; a maximum average floor size of 12,000 square feet; a maximum floor size for any floor of 17,000 square feet; and a maximum average diagonal measure of 160 feet. In determining the average floor size of the upper tower, areas with a cross sectional area of less than 4,000 square feet may not be counted and sculptured architectural forms that contain large volumes of space but no usable floors shall be included in average floor size calculation by computing the cross section at 12.5 foot intervals.

(B) Volume Reduction. When the average floor size of the lower tower exceeds 5,000 square feet, the volume of the upper tower shall be reduced to a percentage of the volume that would occur if the average floor size of the lower tower were extended to the proposed building height. The percentage varies with the bulk of the lower tower and with whether or not a height extension is employed pursuant to Section 263.7 and is shown on Chart C. In achieving the required volume reduction, a setback or change in profile at a specific elevation is not required.

(C) Extensions. Extensions of the Upper Tower above the otherwise allowable height limits may be permitted as provided in Section 263.7.

(D) Termination of the Tower. The top of the tower shall be massed in a manner that will create a visually distinctive roof or other termination of the building facade. Modifications to a proposed project may be required, in the manner provided in Section 309, to achieve this purpose.

(e) In bulk district R, bulk limitations are as follows:

1. Between 51 and 105 feet in height, the maximum plan dimensions measured diagonally may not exceed 200 feet, and the average individual floor area may not exceed 20,000 gross square feet.

2. Above 105 feet in height, each side of the building shall be limited to 110 feet in length, and maximum plan dimensions measured diagonally may not exceed 125 feet except for the lower one-third of the structure above 105 feet, which shall be subject to Subsection (3) below; the average floor area of all floors above 105 feet may not exceed 7,500 gross square feet.

3. The volume of the upper one-third of the structure above 105 feet shall be at least 15% less than the volume of the middle one-third above 105 feet, and the volume of

the lower one-third of the structure above 105 feet shall be at least 15% more than the volume of the middle one-third above 105 feet.

4. In order to provide light and air between structures and to avoid excessive screening of downtown views from the bridge, distances between structures in height districts above 105 feet should not be less than 150 feet.

SEC. 307. OTHER POWERS AND DUTIES OF THE ZONING ADMINISTRATOR.

In addition to those specified in Sections 302 through 306, *and Sections 316 through 316.8 of this Code,* the Zoning Administrator shall have the following powers and duties in administration and enforcement of this Code. The duties described in this section shall be performed under the general supervision of the Director of Planning, who shall be kept informed of the actions of the Zoning Administrator.

(a) Rules, regulations and interpretations. The Zoning Administrator shall, consistent with the expressed standards, purposes and intent of this Code and pursuant to its objectives, issue and adopt such rules, regulations and interpretations as are in the Zoning Administrator's opinion necessary to administer and enforce the provisions of this Code. Such rules and regulations, and any such interpretations that will be of general application in future cases, shall be made a part of the permanent public records of the Department of City Planning. The Zoning Administrator shall respond to all written requests for determinations regarding the classification of uses and the interpretation and applicability of the provisions of this Code.

(b) Compliance with this Code. The Zoning Administrator shall have authority to take appropriate actions to secure compliance with this Code, through review of permit applications, surveys and record keeping, enforcement against violations as described in Section 176, and other means.

(c) Inspection of premises. In the performance of any prescribed duties, the Zoning Administrator and employees of the Department of City Planning authorized to represent the Zoning Administrator shall have the right to enter any building or premises for the purposes of investigation and inspection; provided, that such right of entry shall be exercised only at reasonable hours, and that in no case shall entry be made to any building in the absence of the owner or tenant thereof without the written order of a court of competent jurisdiction.

(d) Code maintenance. The Zoning Administrator shall periodically review and study the effectiveness and appropriateness of the provisions of this Code, for the purpose of recommending necessary changes to the Director of Planning and the City Planning Commission.

(e) Exercise of powers and duties by others. In cases where absence, incapacity, vacancy of the office, conflict of interest or other sufficient reasons prevents action by the Zoning Administrator, the Director of Planning may designate any officer or employee of the Department to carry out any function of the Zoning Administrator so affected.

(f) Cooperation with other departments. The Zoning Administrator shall furnish to the various departments, officers and employees of the City vested with the duty or authority to issue permits or licenses (including but not limited to the Department of Public Works, Department of Public Health, Police Department and Fire Department) such information as will insure the proper administration of this Code and of all the rules, regulations, interpretations and other determinations of the Department of City Planning relative thereto. It shall be the duty of said departments, officers and employees to cooperate with the Zoning Administrator in the performance of the Zoning Administrator's duties, and to assist in the enforcement of the provisions of this Code.

(g) Exceptions from Certain Specific Code Standards through Administrative Review. In the Chinatown Mixed Use districts the Zoning Administrator may allow complete or partial relief from parking, rear yard, and open space standards as authorized in the applicable sections of this Code, when modification of the standard would result in a project better fulfilling the criteria set forth in the applicable section. The procedures and fee for such review shall be the same as those which are applicable to variances, as set forth in Sections 306.1 through 306.5 and 308.2.

[Language in italics subject to Sunset Clause set forth in Ord. 69-87]

SEC. 607.2. MIXED USE DISTRICTS.

Signs located in Mixed Use districts shall be regulated as provided herein, except for those signs which are exempted by Section 603. Signs not specifically regulated in this Section 607.2 shall be prohibited. In the event of conflict between the provisions of Section 607.2 and other provisions of Article 6, the provisions of Section 607.2 shall prevail in Mixed Use districts.

(a) Purposes and Findings. In addition to the purposes stated in Section 101 and 601 of this Code, the following purposes apply to Mixed Use districts. These purposes constitute findings that form a basis for regulations and provide guidance for their application.

1. As Mixed Use districts change, they need to maintain their attractiveness to customers and potential new businesses alike. Physical amenities and a pleasant appearance will profit both existing and new enterprises.

2. The character of signs and other features projecting from buildings is an important part of the visual appeal of a street and the general quality and economic stability of the area. Opportunities exist to relate these signs and projections more effectively to street design and building design. These regulations establish a framework that will contribute toward a coherent appearance of Mixed Use districts.

3. Mixed Use districts are typically mixed-use areas with commercial units on the ground or lower stories and residential uses on upper stories. Although signs and other advertising devices are essential to a vital commercial district, they should not be allowed to interfere with or diminish the livability of residential units within a Mixed Use district or in adjacent residential districts.

4. The scale of most Mixed Use districts as characterized by building height, bulk, and appearance, and the width of streets and sidewalks differs from that of other commercial and industrial districts. Sign sizes should relate and be compatible with the surrounding district scale.

(b) Signs or sign features not permitted in Mixed Use districts. Roof signs as defined in Section 602.16 of this Code, wind signs as defined in Section 602.21 of this Code, and signs on canopies, as defined in Section 136.1(b) of this Code are not permitted in Mixed Use districts. No sign shall have or consist of any moving, rotating, or otherwise physically animated part, or lights that give the appearance of animation by flashing, blinking, or fluctuating. In addition, all signs or sign features not otherwise specifically regulated in this Section 607.2 shall be prohibited.

(c) Identifying Signs. Identifying Signs, as defined in Section 602.9, shall be permitted in all Mixed Use Districts subject to the limits set forth below.

1. One sign per lot shall be permitted and such sign shall not exceed 20 square feet in area. The sign may be a freestanding sign, if the building is recessed from the street property line, or may be a wall sign or a projecting sign. The existence of a freestanding identifying sign shall preclude the erection of a freestanding business sign on the same lot. A wall or projecting sign shall be mounted on the first story level; a freestanding sign shall not exceed 15 feet in height. Such sign may be non-illuminated, indirectly illuminated, or directly illuminated.

2. One sign identifying a shopping center or shopping mall shall be permitted subject to the conditions in Paragraph 1, but shall not exceed 30 square feet in area. Such signs may be non-illuminated, indirectly illuminated, or directly illuminated during the hours of operation of the businesses in the shopping center or shopping mall.

(d) Name Plate. One name plate, as defined in Section 602.12 of this Code, not exceeding as area of two square feet, shall be permitted for each non-commercial use in Mixed Use districts.

(e) General Advertising Signs General advertising signs, as defined in Section 602.7, shall be permitted in Mixed Use districts as provided for below. In Mixed Use districts where such signs are permitted, general advertising signs may be either a wall sign or freestanding, provided that the surface of any freestanding sign shall be parallel to and within 3 feet of an adjacent building wall. In either case, the building wall shall form a complete backdrop for the sign, as the sign is viewed from all points from a street or alley from which it is legible. •No general advertising sign shall be permitted to cover part or all of any windows. Any extension of the copy beyond the rectangular perimeter of the sign shall be included in the calculation of the sign area, as defined in Section 602.1(a) of this Code.

1. Chinatown Residential Neighborhood Commercial District. No more than one general advertising sign shall be permitted per lot. Such sign shall not exceed 72 square feet in area nor exceed 12 feet in height. Such sign may be either non-illuminated or indirectly illuminated.

2. Chinatown Visitor Retail and Chinatown Community Business Districts. No more than one general advertising sign not exceeding 300 square feet in area or two general advertising signs of 72 square feet each shall be permitted per lot. The height of any such wall sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the height of the lowest of any residential window sills on the wall to which it is attached, whichever is lower. If the advertising sign is a free standing sign, the height shall not exceed 24 feet or the height of the adjacent wall whichever is lower.

(A) Signs may be either non-illuminated or indirectly or directly illuminated.

(f) Business Signs. Business signs, as defined in Section 602.3 shall be permitted in all Mixed Use districts subject to the limits set forth below.

1. Chinatown Residential Neighborhood Commercial District

(A) Window Signs. The total area of all window signs, as defined in Section 602.1(b), shall not exceed one-third the area of the window on or in which the signs are located. Such signs may be non-illuminated, indirectly illuminated, or directly illuminated.

(B) Wall Signs. The area of all wall signs shall not exceed one square foot per foot of street frontage occupied by the business measured along the wall to which the signs are attached, or 50 square feet for each street frontage, whichever is less. The height of any wall sign shall not exceed 15 feet or the height of the wall to which it is attached. Such signs may be non-illuminated or indirectly illuminated; or during business hours, may be directly illuminated.

(C) Projecting Signs. The number of projecting signs shall not exceed one per business. The area of such sign, as defined in Section 602.1(a), shall not exceed 24 square feet. The height of such sign shall not exceed 15 feet or the height of the wall to which it is attached. No part of the sign shall project more than 75 percent of the horizontal distance from the Street property line to the curb line, or 6 feet 6 inches, whichever is less. The sign may be non-illuminated or indirectly illuminated, or during business hours, may be directly illuminated.

(D) Signs on Awnings. Sign copy may be located on permitted awnings in lieu of wall signs and projecting signs. The area of such sign copy as defined in Section 602.1(c) shall not exceed 20 square feet. Such sign copy may be non-illuminated or indirectly illuminated.

2. Chinatown Visitor Retail District

(A) Window Signs. The total area of all window signs, as defined in Section 602.1(b), shall not exceed one-third the area of the window on or in which the signs are located. Such signs may be non-illuminated, indirectly illuminated, or directly illuminated.

(B) Wall Signs. The area of all wall signs shall not exceed 2 square feet per foot of street frontage occupied by the use measured along the wall to which the signs are attached, or 100 square feet for each street street frontage, whichever is less. The height of any wall sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the height of the lowest of any residential window sill on the wall to which the sign is attached, whichever is lower. Such signs may be non-illuminated, indirectly, or directly illuminated.

(C) Projecting Signs. The number of projecting signs shall not exceed one per business. The area of such sign, as defined in Section 602.1(a), shall not exceed 24 square feet. The height of such sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the height of the lowest of any residential window sill on the wall to which the sign is attached, whichever is lower. No part of the sign shall project more than 75 percent of the horizontal distance from the street property line to the curb line, or 6 feet 6 inches, whichever is less. Such signs may be non-illuminated or indirectly illuminated; or during business hours, may be directly illuminated.

(D) Signs on Awnings and Marquees. Sign copy may be located on permitted awnings or marquees in lieu of projecting signs. The area of such sign copy as defined in Section 602.1(c) shall not exceed 30 square feet. Such sign copy may be non-illuminated or indirectly illuminated, except that sign copy on marquees for movie theaters or places of entertainment may be directly illuminated during business hours.

(E) Freestanding Signs and Sign Towers. One freestanding sign or sign tower per lot shall be permitted in lieu of a projecting sign, if the building or buildings are recessed from the street property line. The existence of a freestanding business sign shall preclude the erection of a freestanding identifying sign on the same lot. The area of such freestanding sign or sign tower, as defined in Section 602.1(a), shall not exceed 20 square feet nor shall the height of the sign

exceed 24 feet. No part of the sign shall project more than 75 percent of the horizontal distance from the street property line to the curb line, or 6 feet, whichever is less. Such signs may be non-illuminated or indirectly illuminated; or during business hours, may be directly illuminated.

3. Chinatown Community Business District

(A) Window Signs. The total area of all window signs, as defined in Section 602.1(b), shall not exceed one-third the area of the window on or in which the signs are located. Such signs may be non-illuminated, indirectly illuminated, or directly illuminated.

(B) Wall Signs. The area of all wall signs shall not exceed 3 square feet per foot of street frontage occupied by the use measured along the wall to which the signs are attached, or 150 square feet for each street frontage, whichever is less. The height of any wall sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the height of the lowest of any residential window sill on the wall to which the sign is attached, whichever is lower. Such signs may be non-illuminated, indirectly, or directly illuminated.

(C) Projecting Signs. The number of projecting signs shall not exceed one per business. The area of such sign, as defined in Section 602.1(a), shall not exceed 32 square feet. The height of the sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the height of the lowest of any residential window sill on the wall to which the sign is attached, whichever is lower. No part of the sign shall project more than 75 percent of the horizontal distance from the street property line to the curb line, or 6 feet 6 inches, whichever is less. Such signs may be non-illuminated, indirectly, or directly illuminated.

(D) Sign Copy on Awnings and Marquees. Sign copy may be located on permitted awnings or marquees in lieu of projecting signs. The area of such sign copy, as defined in Section 602.1(c), shall not exceed 40 square feet. Such sign copy may be non-illuminated or indirectly illuminated; except that sign copy on marquees for movie theaters or places of entertainment may be directly illuminated during business hours.

(E) Freestanding Signs and Sign Towers. One freestanding sign or sign tower per lot shall be permitted in lieu of a projecting sign if the building or buildings are recessed from the street property line. The existence of a freestanding business sign shall preclude the erection of a freestanding identifying sign on the same lot. The area of such freestanding sign or sign tower, as defined in Section 602.1(a), shall not exceed 30 square feet nor shall the height of the sign exceed 24 feet. No part of the sign shall project more than 75 percent of the horizontal distance from the street property line to the curb line, or 6 feet, whichever is less. Such signs may be non-illuminated or indirectly illuminated, or during business hours, may be directly illuminated.

(e) Special Sign Districts. Additional controls apply within certain Mixed Use districts that are designated as Special Sign Districts. The designations, locations, and boundaries of these Special Sign Districts are provided on Sectional Map SSD of the Zoning Map of the City and County of San Francisco, and are described within Sections 608.1 through 608.10. of this Code.

(f) Special Districts for Sign Illumination. Signs in Mixed Use districts shall not have nor consist of any flashing, blinking, fluctuating or otherwise animated light except in the following special districts, all specifically designated as "Special Districts for Sign Illumination" on Sectional Map SSD of the Zoning Map of the City and County of San Francisco, and described in Section 607(e) of this Code.

1. Broadway District. Along the main commercial frontage of Broadway between Wayne and Osgood.

(g) Other Sign Requirements. Within Mixed Use districts, the following additional requirements shall apply:

1. Public Areas. No sign shall be placed upon any public street, alley, or public plaza, or in any portion of a transit system, except such signs, structures, and features as are specifically approved by the appropriate public authorities under applicable laws and regulations not inconsistent with this Code and under such conditions as may be imposed by such authorities or posted pursuant to Police Code Section .

2. Maintenance. Every business sign pertaining to an active establishment shall be adequately maintained in its appearance. When the activity for which the business sign has been posted has ceased operation for more than 90 days, all signs pertaining to that business activity shall be removed after that time.

ARTICLE 8

MIXED USE DISTRICTS

[Entire Article is New]

SEC. 801. MIXED USE DISTRICT PROVISIONS.

SEC. 802. CLASSES OF MIXED USE DISTRICTS.

SEC. 803. MIXED USE DISTRICT REQUIREMENTS.

SEC. 809. GUIDE TO UNDERSTANDING THE MIXED USE DISTRICT ZONING CONTROLS.

SEC. 810. CHINATOWN - VISITOR RETAIL DISTRICT
ZONING CONTROL TABLE

SEC. 811. CHINATOWN - COMMUNITY BUSINESS DISTRICT
ZONING CONTROL TABLE

SEC. 812. CHINATOWN - RESIDENTIAL NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE

SEC. 890. DEFINITIONS FOR MIXED USE DISTRICTS.

SEC. 899. REFERENCES TO OTHER SECTIONS OF THE CITY PLANNING CODE.

SEC. 801. MIXED USE DISTRICT PROVISIONS.

This Article is adopted specifically for Mixed Use districts, as shown on the Zoning Map of the City and County of San Francisco. The provisions set forth or referenced in Article 8 shall apply to any use, property, structure, or development which is located in a Mixed Use district, unless otherwise provided for within this Code. In the event of conflict between provisions of Article 8 and other provisions of this Code, the provisions of Article 8 shall prevail.

SEC. 801.1. PURPOSE OF ARTICLE 8.

This Article is intended to provide a comprehensive and flexible zoning system for Mixed Use districts which is consistent with the objectives and policies set forth in the San Francisco Master Plan. More specifically, the purposes of this Article are:

(a) To provide in one article a complete listing of or cross-reference to all of the zoning categories, definitions, control provisions, and review procedures which are applicable to properties or uses in Mixed Use districts in the vicinity of Downtown.

(b) To establish a zoning system which will accommodate all classes of Mixed Use districts including individual districts which are tailored to the unique characteristics of specific areas.

(c) To provide zoning control categories which embrace the full range of land use issues in neighborhoods in the vicinity of Downtown, in order that controls can be applied individually to each district to address particular land use concerns in that district.

SEC. 802. CLASSES OF MIXED USE DISTRICTS.

SEC. 802.1. MIXED USE DISTRICTS.

The following districts are established for the purpose of implementing the Downtown Plan, the Residence Element, other Master Plan policies and various local area plans and policies for neighborhoods in the vicinity of Downtown. Description and Purpose Statements outline the main functions of each Mixed Use district in this article, supplementing the statements of purpose contained in Section 101 of this Code.

The description and purpose statements and land use controls applicable to each district are set forth in Sections 810 through 812 of this Code. The boundaries of the various Mixed Use districts are shown on the Zoning Map referred to in Section 105 of this Code, subject to the provisions of that Section.

The following Districts are hereby established as Mixed Use Districts.

Districts	Section Number
Chinatown - Community Business District	§ 810
Chinatown - Visitor Retail District	§ 811
Chinatown - Residential Neighborhood Commercial District	§ 812

SEC. 802.2. SPECIAL USE DISTRICTS.

Portions of the area covered by this article are also subject to the provisions of Section 236 of this Code.

SEC. 803. MIXED USE DISTRICT REQUIREMENTS.

The Mixed Use district zoning control categories consist of building standards listed in Section 803.1 of this Code and permitted uses listed in Section 803.2 of this Code. The controls are either stated, or summarized and cross-referenced to the Sections in other Articles of this Code containing the requirements, in Sections 810.1 through 812.1 of this Code, for each of the district classes listed in Section 802.1, or referenced in Section 899 of this Code.

SEC. 803.1. BUILDING STANDARDS.

Building standards are controls which regulate the general size, shape, character, and design of development in Mixed Use districts. They are set forth or summarized and cross-referenced in the zoning control categories as listed in paragraph (a) below in Sections 810.10 through 812.1 of this Code for each district class.

(a) Building Standard Categories. The building standard categories which govern Mixed Use districts are listed below by zoning control category and numbered and cross-referenced to the Code Section containing the standard and the definition.

No.	Zoning Control Categories for Building Standards	Section Number of Standard	Section Number of Definition
.10	Height and Bulk	Zoning Map § 270	§§ 102.11, 102.18, 270
.11	Lot Size [Per Development]	§ 121.5	§§ 121(c), 890.56
.12	Rear Yard/Site Coverage	§ 134(a)(e)	§ 134
.13	Sun Access Setback	§ 132.3	
.14	Maximum Street Frontage	§ 145.2	
.15	Awning	§ 136.2(a)	§ 890.20
.16	Canopy	§ 136.2(b)	§ 890.26

No.	Zoning Control Categories for Building Standards	Section Number of Standard	Section Number of Definition
.18	Marquee	§ 136.2(c)	§ 890.58
.19	Floor Area Ratio	§§ 123-124	§§102.8, 102.10
.20	Use Size [Non-Residential]	§ 121.9	§ 890.130
.21	Open Space	§ 135.1	
.22	Off-Street Parking, Commercial and Institutional	§ 151	§ 150
.23	Off-Street Freight Loading	§ 152	§ 150
.30	General Advertising Sign	§ 607.2(c)	§ 602.7
.31	Business Sign	§ 607.2(d)	§ 602.3
.32	Other Signs	§ 607.2 (g) - (j)	§ 602.9 § 602.2
.91	Residential Density, Dwelling Units	§ 207.4	§ 207.1
.92	Residential Density, Other	§ 208	§ 208
.93	Usable Open Space	§ 135(d)	§ 135
.94	Off-Street Parking, Residential	§ 151	§ 150

SEC. 803.2. USES PERMITTED IN MIXED USE DISTRICTS.

A use is the specific purpose for which a property or building is used, occupied, maintained, or leased. Whether or not a use is permitted in a specific district is set forth or summarized and cross-referenced in Sections 810.1 through 812.95 of this Code for each district class.

(a) Use Categories. The uses, functions, or activities, which are permitted in each Mixed Use district class include those listed below by zoning control category and numbered and cross-referenced to the Code Section containing the definition.

No.	Zoning Control Categories for Uses	Section Number of Use Definition
.24	Outdoor Activity Area	§ 890.70
.25	Drive-Up Facility	§ 890.30
.26	Walk-Up Facility	§ 890.140
.27	Hours of Operation	§ 890.48
.38a	Residential Conversion	§ 890.84
.38b	Residential Demolition	§ 890.86
.39a	Residential Hotel Conversion	§ 890.84

.39a	Residential Hotel Demolition	§ 890.86
.40a	Other Retail Sales and Services	§ 890.102
.40b	Gift Store-Tourist Oriented	§ 890.39
.40c	Jewelry	§ 890.51
.41	Bar	§ 890.22
.42	Full-Service Restaurant	§ 890.92
.43	Fast Food Restaurant Small	§ 890.90
.44	Fast Food Restaurant - Large	§ 890.91
.45	Take-Out Food	§ 890.122
.46	Movie Theater	§ 890.64
.47	Adult Entertainment	§ 890.36
.48	Other Entertainment	§ 890.38
.49	Financial Service	§ 890.110
.50	Limited Financial Service	§ 890.112
.51	Medical Service	§ 890.114
.52	Personal Service	§ 890.116
.53	Business or Professional Service	§ 890.108
.54	Massage Establishment	§ 890.60
.55	Tourist Hotel	§ 890.46
.56	Automobile Parking	§ 890.8
.57	Automotive Gas Station	§ 890.14
.58	Automotive Service Station	§ 890.17
.59	Automotive Repair	§ 890.15
.60	Automotive Wash	§ 890.18
.61	Automobile Sale or Rental	§ 890.12
.62	Animal Hospital	§ 890.6
.63	Ambulance Service	§ 890.2
.64	Mortuary	§ 890.62
.65	Trade Shop	§ 890.124
.66	Storage	§ 890.117
.70	Administrative Service	§ 890.106
.71	Light Manufacturing, Wholesale Sales or Storage	§ 890.54
.80	Hospital or Medical Center	§ 890.44
.81	Other Institutions	§ 890.50
.82	Public Use	§ 890.80
.90	Residential Use	§ 890.88
.95	Community Residential Parking	§ 890.10

(b) Use Limitations. The uses permitted in Mixed Use districts are either principal, conditional, accessory, or temporary uses as stated in this Section, and include those uses set forth or summarized and cross-referenced in the zoning control categories as listed in Paragraph (a) in Sections 810.1 through 812.95 of this Code for each district class.

1. Permitted Uses. All permitted uses shall be conducted within an enclosed building in Mixed Use districts, unless otherwise specifically allowed in this Code. Exceptions from this requirement are: accessory off-street parking and loading; uses which, when located outside of a building, qualify as an outdoor activity area, as defined in Section 890.70 of this Code; and uses which by their nature are to be conducted in an open lot or outside a building, as described in Sections 890 through 890.140 of this Code.

If there are two or more uses in a structure and none is classified under Section 803.2(b)1.(C) of this Code as accessory, then each of these uses will be considered separately as independent principal, conditional or temporary uses.

(A) Principal Uses. Principal uses are permitted as of right in a Mixed Use district, when so indicated in Sections 810.1 through 812.95 of this Code for each district class.

(B) Conditional Uses.

(i) Conditional uses are permitted in a Mixed Use district when authorized by the City Planning Commission; whether a use is conditional in a given district is indicated in Sections 810 through 812. Conditional uses are subject to the provisions set forth in Section 303 of this Code.

(ii) Any use or feature which lawfully existed and was permitted as a principal or conditional use on the effective date of these controls which is not otherwise nonconforming or noncomplying as defined in Section 180 of this Code, and which use or feature is not permitted under this Article is deemed to be a permitted conditional use subject to the provisions of this Code.

(C) Accessory Uses. Subject to the limitations set forth below and in Sections 204.1 (Accessory Uses for Dwelling Units in R Districts) and 204.5 (Parking and Loading as Accessory Uses) of this Code, a related minor use which is either necessary to the operation or enjoyment of a lawful principal use or conditional use, or is appropriate, incidental and subordinate to any such use, shall be permitted as an accessory use when located on the same lot. Any use not qualified as an accessory use shall be classified as a principal or conditional use, unless it qualifies as a temporary use under Sections 205 through 205.2 of this Code.

No use will be considered accessory to a permitted principal or conditional use which involves or requires any of the following:

(i) The use of more than 1/3 of the total floor area occupied by such use except in the case of accessory off street parking.

(ii) Any bar, restaurant, other entertainment, or any retail establishment which serves liquor for consumption on-site;

(iii) Any take-out food use, except for a take-out food use which occupies 100 square feet or less in a retail grocery or specialty food store;

(iv) The wholesaling, manufacturing or processing of foods, goods, or commodities on the premises of an establishment which does not also provide for primarily retail sale of such foods, goods or commodities at the same location where such wholesaling, manufacturing or processing takes place.

The above shall not prohibit take-out food activity which operates in conjunction with a fast food restaurant. A fast food restaurant, by definition, includes take-out food as an accessory and necessary part of its operation.

(D) Temporary Uses. Temporary uses are permitted uses, subject to the provisions set forth in Section 205, 205.1 and 205.2 of this Code.

2. Not Permitted Uses.

(A) Uses which are not specifically listed in this Article are not permitted unless determined by the Zoning Administrator to be permitted uses in accordance with Section 307(a) of this Code.

(B) No use, even though listed as a permitted use, shall be permitted in a Mixed Use District which, by reason of its nature or manner of operation, creates conditions that are hazardous, noxious, or offensive through the emission of odor, fumes, smoke, cinders, dust, gas, vibration, glare, refuse, water-carried waste, or excessive noise.

SEC. 809. GUIDE TO UNDERSTANDING THE MIXED USE DISTRICT ZONING CONTROLS.

Mixed Use district controls are set forth in the Zoning Control Tables in Sections 810.10 through 812.95 or referenced in Section 899 of this Code.

(a) The first column in the Zoning Control Table, titled "No." provides a category number for each zoning control category.

(b) The second column in the table, titled "Zoning Control Category," lists each zoning control category which is regulated in Article 8 of this Code.

(c) The third column, titled "§ References," contains numbers of other sections in the Planning Code and other City codes, in which additional control provisions, including exceptions and definitions, where pertinent, are contained.

(d) In the fourth column, the controls applicable to the various Mixed Use districts are indicated either directly or by reference to other Code sections which contain the controls.

The following symbols are used in this table:

P -- Permitted as a principal use.

C -- Permitted as a conditional use, subject to the provisions set forth in this Code.

-- A blank space on the table indicates that the use or feature is not permitted. Unless a use or feature is permitted or required as set forth in the Zoning Control Tables or in those sections referenced in Section 899 of this Code, such use or feature is prohibited, unless determined by the Zoning Administrator to be a permitted use..

-- See specific provisions listed by Section and Zoning Category number at the end of the table.

1st -- 1st story and below

2nd -- 2nd story

3rd+ -- 3rd story and above

Section 810.1 Chinatown Community Business District

The Chinatown Community Business District, located in the northeast quadrant of San Francisco, extends along Broadway from the eastern portal of the Broadway Tunnel to Columbus Avenue and along Kearny Street from Columbus to Sacramento Street. This district also includes portions of Commercial Street between Montgomery Street and Grant Avenue and portions of Grant Avenue between Bush and California Streets. It is part of the larger core area of Chinatown.

The portions of Broadway, Kearny and Commercial Streets and Grant Avenue in this district are transitional edges or entries to Chinatown. North and east of the two blocks of Broadway contained in this district are North Beach and the Broadway entertainment districts. Kearny and Columbus Street are close to intensive office development in the Downtown financial district. Both Grant Avenue and Commercial Street provide important pedestrian entries to Chinatown. Generally, this district has more potential for added retail and commercial development than other parts of Chinatown.

This zoning district is intended to protect existing housing, encourage new housing and to accommodate modest expansion of Chinatown business activities as well as street level retail uses. The size of individual professional or business office use is limited in order to prevent these areas from being used to accommodate larger office uses spilling over from the financial district.

Housing development in new buildings is encouraged at upper stories. Existing housing is protected by limitations on demolitions and upper story conversions.

SEC. 810

CHINATOWN COMMUNITY BUSINESS DISTRICT

ZONING CONTROL TABLE

No.	Zoning Category	§ References	SEC. 810 Community Business Controls
BUILDING STANDARDS			
.10	Height and Bulk	§§ 102.11, 105, 106, 263.4 §§ 250 - 252, 260, 270, 271	P up to 35 feet# C to 65 ft. C to 50 ft (along Commercial Street) See Zoning Map, § 254 50 ft. length and 100 ft. diagonal above 40 ft.# See Zoning Map, § 270
.11	Lot Size [Per Development]	§§ 890.56,121	P - up to 5000 sq. ft. C - 5001 sq.ft. & above § 121.3
.12	Rear Yard/Site Coverage	§§ 130,134,136	Location may be modified/75% coverage § 134.1
.13	Sun Access Setbacks		15 ft. at specified heights § 132.3
.14	Maximum Street Frontage (per building)		P - to 50 feet C- more than 50 feet § 145.3
.15	Awning	§ 890.20	P § 136.2(a)
.16	Canopy	§ 890.26	P § 136.2(b)
.17	Marquee	§ 890.58	P § 136.2(c)

No.	Zoning Category	§ References	SEC. 810 Community Business Controls
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			
.19	Floor Area Ratio	§§ 102.8,102.10, 123	2.8 to 1 § 124(a)(b)
.20	Use Size [Non-Residential]	§ 890.130	P up to 5000 sq.ft., C 5000 sq.ft. & above § 121.4 Except for full service restaurants
.21	Open Space		1 sq. ft. for every 50 sq. ft. of building over 10,000 sq. ft. § 135.1
.22	Off-Street Parking, Commercial and Institutional	§§ 150,153-157, 159-160,204.5	1:500 sq. ft. when lot size over 20,000 sq.ft §§ 151, 161 (d)
.23	Off-Street Freight Loading	§§ 150,153-155 204.5	Generally, none required if gross floor area is less than 10,000 sq.ft. §§ 152,161(b)
.24	Outdoor Activity Area	§ 890.70	P in front; C elsewhere
.25	Drive-up Facility	§ 890.30	
.26	Walk-Up Facility	§ 890.140	P if recessed 3 ft. C otherwise
.27	Hours of Operation	§ 890.48	No Limit
.30	General Advertising Sign	§§ 602-604,608.1 608.2	P § 607.2(e)
.31	Business Sign	§§ 602-604,608.1 608.2	P § 607.2(f)

		§ References	SEC. 810 Community Business Controls by Story 1st	2nd	3rd +
.38a	Residential Conversion Residential Hotels	§ Ch. 41 Admin. Code			
.38b	Residential Demolition Residential Hotels	§ Ch. 41 Admin. Code			
.39a	Residential Conversion Apartments				
.39b	Residential Demolition Apartments				
Retail Sales and Services					
.40a	Other Retail Sales and Services [Not Listed Below]	§ 890.102	P	P	P
.40b	Gift Store - Tourist Oriented	§ 890.39	P	P	P
.40c	Jewelry	§ 890.51	P	P	P
.41	Bar	§ 890.22	P	P	P
.42	Full-Service Restaurant	§ 890.92	P	P	P
.43	Fast Food Restaurant (Small)	§ 890.90	C	C	C
.44	Fast Food Restaurant (Large)	§ 890.91			
.45	Take-Out Food	§ 890.122	C	C	
.46	Movie Theater	§ 890.64	P	P	
.47a	Adult Entertainment	§ 890.36			
.47b	Other Entertainment	§ 890.37	P	P	P
.48	Amusement Game Arcade	§ 890.4 § 1036 Police Code			
.49	Financial Service	§ 890.110	P		

No.	Zoning Category	§ References	SEC. 810 Community Business Controls by Story 1st	2nd	3rd +
.50	Limited Financial Service	§ 890.112	P		
.51	Medical Service	§ 890.114	P	P	P
.52	Personal Service	§ 890.116	P	P	P
.53	Business or Professional Service	§ 890.108	P	P	P
.54	Massage Establishment	§ 890.60 § 2700 Police Code	P	P	P
.55	Tourist Hotel	§ 890.46	C	C	C
.56	Automobile Parking	§§ 890.8,156,160	C	C	C
.57	Automotive Gas Station	§ 890.14			
.58	Automotive Service Station	§ 890.18			
.59	Automotive Repair	§ 890.15			
.60	Automotive Wash	§ 890.19			
.61	Automotive Sale or Rental	§ 890.12			
.62	Animal Hospital	§ 890.6			
.63	Ambulance Service	§ 890.2			
.64	Mortuary	§ 890.62	C	C	
.65	Trade Shop	§ 890.124	P	C	

Non-Retail Sales and Services

.70	Administrative Service	§ 890.106			
.71	Light Manufacturing or Wholesale Sales	§ 890.54	#	#	

No.	Zoning Category	§ References	SEC. 810 Community Business Controls by Story 1st	2nd	3rd +

Institutions

.80	Hospital or Medical Center	§ 890.44			
.81	Other Institutions	Not counted as Commercial Fl. area § 890.50	P	P	P
.82	Public Use	§ 890.80	C	C	C

RESIDENTIAL STANDARDS AND USES

.90	Residential Use	§ 890.88	P	P	P
.91	Residential Density, Dwelling Units	§§ 207,207.1, 890.88(a)	1 unit per 200 sq.ft. lot area § 207.5		
.92	Residential Density, Group Housing	§§ 207.1,208, 890.88(b)	1 bedroom per 140 sq.ft. lot area § 208		
.93	Usable Open Space [Per Residential Unit]	§§ 135,136	48 sq. ft. § 135 Table 3		
.94	Off-Street Parking, Residential	§§ 150,153-157, 159-160,204.5	Generally, 1 space per unit §§ 151,161(a)(o)		
.95	Community Residential Parking	§ 890.10	C	C	C

SPECIFIC PROVISIONS FOR CHINATOWN COMMUNITY BUSINESS DISTRICT

Section	Zoning Controls	
§ 810.10	§ 270	- 50 N Height and Bulk District and 65 N Height and Bulk District as mapped on Sectional Map 1H
§ 810.71	§ 236	- Garment Shop Special Use District Applicable only for portions of the Chinatown Community Business District as mapped on Sectional Map No.1 SUa

Section 811.1 Chinatown Visitor Retail District

The Chinatown Visitor Retail Neighborhood Commercial District extends along Grant Avenue between California and Jackson Streets. This district contains a concentration of shopping bazaars, art goods stores and restaurants which attract visitors and shoppers and contribute to the city's visual and economic diversity. Grant Avenue provides an important link between Downtown retail shopping and the Broadway, North Beach and Fisherman's Wharf areas.

This district is intended to preserve the street's present character and scale and to accommodate uses primarily appealing to visitors (e.g. tourist gift shops, jewelry stores, art goods, large restaurants. In order to promote continuous retail frontage, entertainment, financial services, medical service, automotive and drive-up uses are restricted. Most commercial uses, except financial services are permitted on the first two stories. Administrative Services, (those not serving the public) are prohibited in order to prevent encroachment from downtown office uses. There are also special controls on fast food restaurants and tourist hotels. Building standards protect and complement the existing small scale development and the historic character of the area.

The height limit applicable to the district will accommodate two floors of housing or institutional use above two floors of retail use. Existing residential units are protected by prohibition of upper-story conversions and limitation on demolition.

SEC. 811

CHINATOWN VISITOR RETAIL DISTRICT

ZONING CONTROL TABLE

No.	Zoning Category	§ References	SEC. 811 Visitor Retail Controls
BUILDING STANDARDS			
.10	Height and Bulk	§§ 102.11, 105, 106, 263.4 §§ 250 - 252, 260, 270, 271	P up to 35 feet# C to 50 ft. See Zoning Map, § 254 50 ft. length 100 ft. diagonal above 40 ft.# See Zoning Map, § 270
.11	Lot Size [Per Development]	§§ 890.56,121	P up to 2500 sq.ft., C 5,000 sq.ft. & above § 121.3
.12	Rear Yard/Site Coverage	§§ 130, 134, 136	Location may be modified/75% coverage § 134.1
.13	Sun Access Setbacks		15 ft. at specified heights § 132.3
.14	Maximum Street Frontage (per building)		P - to 50 feet C- more than 50 feet §145.3
.15	Awning	§ 890.20	P § 136.2(a)
.16	Canopy	§ 890.26	P § 136.2(b)
.17	Marquee	§ 890.58	P § 136.2(c)

No.	Zoning Category	§ References	SEC. 811 Visitor Retail Controls
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			
.19	Floor Area Ratio	§§ 102.8,102.10, 123	2.0 to 1 § 124(a)(b)
.20	Use Size [Non-Residential]	§ 890.130	P - up to 2500 sq.ft. C -2501to 5000 sq. ft. Except full service restaurants-5000sq.ft. § 121.4
21	Open Space		1 sq. ft. for every 50 sq. ft. above 10,000 § 135.1
.22	Off-Street Parking, Commercial and Institutional	§§ 150,153-157, 159-160,204.5	none required §§ 161 (c)
.23	Off-Street Freight Loading	§§ 150,153-155 204.5	Generally, none required if gross floor area is less than 10,000 sq.ft. §§ 152,161(b)
.24	Outdoor Activity Area	§ 890.70	P in front; C elsewhere
.25	Drive-up Facility	§ 890.30	
.26	Walk-Up Facility	§ 890.140	P if recessed 3 ft. C otherwise
.27	Hours of Operation	§ 890.48	P - 6 am. - 11 pm. C - 11 pm. - 2 am.
.30	General Advertising Sign	§§ 602-604,608.1 608.2	P § 607.2(e)
.31	Business Sign	§§ 602-604,608.1 608.2	P § 607.2(f)

			SEC. 811 Visitor Retail Controls by Story		
		§ References	1st	2nd	3rd +
.38a	Residential Conversion Residential Hotels	§ Ch. 41 Admin. Code			
.38b	Residential Demolition Residential Hotels	§ Ch. 41 Admin. Code			
.39a	Residential Conversion Apartments				
.39b	Residential Demolition Apartments				

Retail Sales and Services

.40a	Other Retail Sales and Services [Not Listed Below]	§ 890.102	P	P	
.40b	Gift Store - Tourist Oriented	§ 890.39	P	P	
.40c	Jewelry	§ 890.51	P	P	
.41	Bar	§ 890.22	P	P	
.42	Full-Service Restaurant	§ 890.92	P	P	
.43	Fast Food Restaurant (Small)	§ 890.90	C		
.44	Fast Food Restaurant (Large)	§ 890.91			
.45	Take-Out Food	§ 890.122	P	P	
.46	Movie Theater	§ 890.64			
.47a	Adult Entertainment	§ 890.36			
.47b	Other Entertainment	§ 890.37			
.48	Amusement Game Arcade	§ 890.4 § 1036 Police Code			
.49	Financial Service	§ 890.110			

			SEC. 811 Visitor Retail Controls by Story		
No.	Zoning Category	§ References	1st	2nd	3rd +
.50	Limited Financial Service	§ 890.112			
.51	Medical Service	§ 890.114		P	
.52	Personal Service	§ 890.116		P	
.53	Business or Professional Service	§ 890.108		P	
.54	Massage Establishment	§ 890.60 § 2700 Police Code	P	P	
.55	Tourist Hotel	§ 890.46	C	C	C
.56	Automobile Parking	§§ 890.8,156,160	C	C	C
.57	Automotive Gas Station	§ 890.14			
.58	Automotive Service Station	§ 890.18			
.59	Automotive Repair	§ 890.15			
.60	Automotive Wash	§ 890.19			
.61	Automotive Sale or Rental	§ 890.12			
.62	Animal Hospital	§ 890.6			
.63	Ambulance Service	§ 890.2			
.64	Mortuary	§ 890.62	C	C	
.65	Trade Shop	§ 890.124	P	C	

Non-Retail Sales and Services

.70	Administrative Service	§ 890.106			
.71	Light Manufacturing or Wholesale Sales	§ 890.54	#	#	

No.	Zoning Category	§ References	SEC. 811 Visitor Retail Controls by Story 1st	2nd	3rd +
Institutions					
.80	Hospital or Medical Center	§ 890.44			
.81	Other Institutions	§ 890.50	P	P	P
.82	Public Use	§ 890.80	C	C	C
RESIDENTIAL STANDARDS AND USES					
.90	Residential Use	§ 890.88	P	P	P
.91	Residential Density, Dwelling Units	§§ 207,207.1, 890.88(a)	1 unit per 200 sq.ft. lot area § 207.5		
.92	Residential Density, Group Housing	§§ 207.1,208, 890.88(b)	1 bedroom per 140 sq.ft. lot area § 208		
.93	Usable Open Space [Per Residential Unit]	§§ 135,136	48 sq. ft. § 135 Table 3		
.94	Off-Street Parking, Residential	§§ 150,153-157, 159-160,204.5	Generally, 1 space per unit §§ 151,161(a)(o)		
.95	Community Residential Parking	§ 890.10	C	C	C

SPECIFIC PROVISIONS FOR CHINATOWN VISITOR RETAIL DISTRICT

Section	Zoning Controls	
§ 811.10	§ 270	- 50 N Height and Bulk District as mapped on Sectional Map 1H
§ 811.71	§ 236	- Garment Shop Special Use District Applicable only for portions of the Chinatown Visitor Retail District as mapped on Sectional Map No. 1 SUa

Section 812.1 Chinatown Residential Neighborhood Commercial District

The Chinatown Residential Neighborhood Commercial District extends along Stockton Street between Sacramento and Broadway and along Powell Street between Washington Street and Broadway. It is generally west and up hill from Grant Avenue and is close to the relatively intensely developed residential areas of lower Nob and Russian Hills. Stockton Street is a major transit corridor which serves as "Main Street" for the Chinatown neighborhood. Both Stockton and Powell Streets contain a significant amount of housing as well as major community institutions supportive to Chinatown and the larger Chinese community. This daytime-oriented district provides local and regional specialty food shopping for fresh vegetables, poultry, fish and meat. Weekends are this area's busiest shopping days.

Because Stockton Street is intended to remain principally in its present character, the Stockton Street controls are designed to preserve neighborhood-serving uses and protect the residential liveability of the area. The controls promote new residential development compatible with existing small scale mixed use character of the area. Consistent with the residential character of the area, commercial development is directed to the ground story. Daytime-oriented use is protected and tourist-related uses, fast food restaurants and financial services are limited.

Housing development in new and existing buildings is encouraged above the ground floor. Institutional uses are also encouraged. Existing residential units are protected by limits on demolition and conversion.

CHINATOWN RESIDENTIAL NEIGHBORHOOD COMMERCIAL DISTRICT

ZONING CONTROL TABLE

No.	Zoning Category	§ References	SEC. 812 Residential N'hd Comml Controls
BUILDING STANDARDS			
.10	Height and Bulk	§§ 102.11, 105, 106, 263.4 §§ 250 - 252, 260, 270, 271	P - up to 35 feet# C - 50 ft., portions of Grant & Pacific. C - 65 ft., except 85 ft. for portions of Stockton if low income housing. See Zoning Map, § 254 50 ft. length and 100 ft. diagonal and above 40 ft. See Zoning Map, § 270
.11	Lot Size [Per Development]	§§ 890.56,121	P up to 5000 sq.ft., C 5001 sq.ft. & above § 121.3
.12	Rear Yard/Site Coverage	§§ 130,134,136	Location may be modified § 134.1
.13	Sun Access Setbacks		15 ft. at specified heights § 132.3
.14	Maximum Street Frontage (per building)		P - to 50 feet C- more than 50 feet §145.3
.15	Awning	§ 890.20	P § 136.2(a)
.16	Canopy	§ 890.26	P § 136.2(b)
.17	Marquee	§ 890.58	P § 136.2(c)

No.	Zoning Category	§ References	SEC. 812 Residential N'hd Comml Controls
COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES			
.19	Floor Area Ratio	§§ 102.8,102.10, 123	1.0 to 1 § 124(a)(b)
.20	Use Size [Non-Residential]	§ 890.130	P - up to 2500 sq.ft. C -2501 to 4000 sq.ft. § 121.4
21	Open Space		1 sq. ft. for every 50 sq. ft. of building over 10,000 sq. ft. § 135.1
.22	Off-Street Parking, Commercial and Institutional	§§ 150,153-157, 159-160,204.5	None Required §§ 161 (c)
.23	Off-Street Freight Loading	§§ 150,153-155 204.5	Generally, none required if gross floor area is less than 10,000 sq.ft. §§ 152,161(b)
.24	Outdoor Activity Area	§ 890.70	P - in front; C - elsewhere
.25	Drive-up Facility	§ 890.30	
.26	Walk-Up Facility	§ 890.140	P - if recessed 3 ft. C - otherwise
.27	Hours of Operation	§ 890.48	P - 6am - 11pm C - 11pm - 2am
.30	General Advertising Sign	§§ 602-604,608.1 608.2	P § 607.2(e)
.31	Business Sign	§§ 602-604,608.1 608.2	P § 607.2(f)

		§ References	SEC. 812 Residential N'hd Comml Controls by Story 1st	2nd	3rd +
.38a	Residential Conversion Residential Hotels	§ Ch. 41 Admin. Code			
.38b	Residential Demolition Residential Hotels	§ Ch. 41 Admin. Code			
.39a	Residential Conversion Apartments				
.39b	Residential Demolition Apartments				
Retail Sales and Services					
.40a	Other Retail Sales and Services [Not Listed Below]	§ 890.102	P		
.40b	Gift Store - Tourist Oriented	§ 890.39			
.40c	Jewelry	§ 890.51	C		
.41	Bar	§ 890.22	C		
.42	Full-Service Restaurant	§ 890.92	P		
.43	Fast Food Restaurant (Small)	§ 890.90	C		
.44	Fast Food Restaurant (Large)	§ 890.91	C		
.45	Take-Out Food	§ 890.122	C		
.46	Movie Theater	§ 890.64	C		
.47a	Adult Entertainment	§ 890.36			
.47b	Other Entertainment	§ 890.37			
.48	Amusement Game Arcade	§ 890.4 § 1036 Police Code			
.49	Financial Service	§ 890.110	C		

No.	Zoning Category	§ References	SEC. 812 Residential N'hd Comml Controls by Story 1st	2nd	3rd +
.50	Limited Financial Service	§ 890.112	C		
.51	Medical Service	§ 890.114	P		
.52	Personal Service	§ 890.116	P		
.53	Business or Professional Service	§ 890.108	P		
.54	Massage Establishment	§ 890.60 § 2700 Police Code	P		
.55	Tourist Hotel	§ 890.46			
.56	Automobile Parking	§§ 890.8,156,160	C		
.57	Automotive Gas Station	§ 890.14			
.58	Automotive Service Station	§ 890.18			
.59	Automotive Repair	§ 890.15			
.60	Automotive Wash	§ 890.19			
.61	Automotive Sale or Rental	§ 890.12			
.62	Animal Hospital	§ 890.6			
.63	Ambulance Service	§ 890.2			
.64	Mortuary	§ 890.62	C	C	
.65	Trade Shop	§ 890.124	P		

Non-Retail Sales and Services

.70	Administrative Service	§ 890.106			
.71	Light Manufacturing or Wholesale Sales	§ 890.54	#	#	

No.	Zoning Category	§ References	SEC. 812 Residential N'hd Comml Controls by Story 1st	2nd	3rd +

Institutions

.80	Hospital or Medical Center	§ 124.1 § 890.44	C	C	C
.81	Other Institutions	§ 890.50	P	P	P
.82	Public Use	§ 890.80	C	C	C

RESIDENTIAL STANDARDS AND USES

.90	Residential Use	§ 890.88	P	P	P
.91	Residential Density, Dwelling Units	§§ 207,207.1, 890.88(a)	1 unit per 200 sq.ft. lot area § 207.5		
.92	Residential Density, Group Housing	§§ 207.1,208, 890.88(b)	1 bedroom per 140 sq.ft. lot area § 208		
.93	Usable Open Space [Per Residential Unit]	§§ 135,136	48 sq. ft. § 135 Table 3		
.94	Off-Street Parking, Residential	§§ 150,153-157, 159-160,204.5	Generally, 1 space per unit §§ 151,161(a)(g)		
.95	Community Residential Parking	§ 890.10	C	C	C

SPECIFIC PROVISIONS FOR CHINATOWN RESIDENTIAL NEIGHBORHOOD COMMERCIAL DISTRICT

Section	Zoning Controls	
§ 812.10	§ 270	- 50 N Height and Bulk District and 65 N Height and Bulk District as mapped on Sectional Map 1H
§ 812.71	§ 236	- Garment Shop Special Use District Applicable only for portions of the Chinatown Residential Neighborhood Commercial District as mapped on Sectional Map No.1 SUa

SEC. 890. DEFINITIONS FOR MIXED USE DISTRICTS.

This and the following Sections provide the definitions for Mixed Use districts. In case of conflict between the following definitions and those set forth in Sections 102 through 102.25, the following definitions shall prevail for Mixed Use districts.

SEC. 890.2. AMBULANCE SERVICE.

A retail use which provides medically-related transportation services.

SEC. 890.4. AMUSEMENT GAME ARCADE (MECHANICAL AMUSEMENT DEVICES).

A retail use which provides eleven or more amusement games such as video games, pinball machines, or other such similar mechanical and electronic amusement devices, as regulated in Sections 1036 through 1036.35 of the Police Code.

SEC. 890.6. ANIMAL HOSPITAL.

A retail use which provides medical care and accessory boarding services for animals, not including a commercial kennel as specified in Section 224(c) of this Code.

SEC. 890.8. AUTOMOBILE PARKING.

A use which provides temporary parking accommodations for private vehicles whether conducted within a garage or on an open lot, excluding accessory parking, as defined in Section 204.5 of this Code, and community residential parking, as defined in Section 890.10 of this Code. Provisions regulating automobile parking are set forth in Sections 155, 156, 158 and other provisions of Article 1.5 of this Code. Parking of commercial vehicles or trucks shall be limited to commercial passenger vehicles and light delivery trucks only and must be conducted within a garage.

SEC. 890.10. AUTOMOBILE PARKING, COMMUNITY RESIDENTIAL.

A use which provides parking accommodations, including a garage or lot for the storage of private passenger automobiles for residents of the vicinity and meeting the requirements of Section 159 and other sections in Article 1.5 of this Code, and excluding accessory parking, as defined in Section 204.5 of this Code.

SEC. 890.12. AUTOMOBILE SALE OR RENTAL.

A retail use which provides vehicle sales or rentals whether conducted within a building or on an open lot.

SEC. 890.14. AUTOMOTIVE GAS STATION.

A retail automotive service use which provides motor fuels, lubricating oils, air, and water directly into motor vehicles and without providing automotive repair services, and which also includes self-service operations which sell motor fuel only.

SEC. 890.15. AUTOMOTIVE REPAIR.

A retail automotive service use which provides any of the following automotive repair services when conducted within an enclosed building having no openings, other than fixed windows or exits required by law, located within 50 feet of any R district: minor auto repair, engine repair, rebuilding, or installation of power train components, reconditioning of badly worn or damaged motor vehicle, collision service, or full body paint spraying. It may include other services for automobiles including, but not limited to, accessory towing, if all towed vehicles stored on the premises are limited to those vehicles which are to be repaired on the premises.

SEC. 890.16. AUTOMOTIVE SERVICE.

A retail use which provides services for motor vehicles including automotive gas station, automotive service station, automotive repair, and automotive wash.

SEC. 890.18. AUTOMOTIVE SERVICE STATION.

A retail automotive service use which provides motor fuels and lubricating oils directly into motor vehicles and minor auto repairs (excluding engine repair, rebuilding, or installation of power train components, reconditioning of badly worn or damaged motor vehicles, collision service, or full body paint spraying) and services which remain incidental to the principal sale of motor fuel. Repairs shall be conducted within no more than three enclosed service bays in buildings having no openings, other than fixed windows or exits required by law, located within 50 feet of any R district. It may include other incidental services for automobiles including, but not limited to, accessory towing, if the number of towing vehicles does not exceed one, and all towed vehicles stored on the premises are limited to those vehicles which are to be repaired on the premises.

SEC. 890.19. AUTOMOTIVE WASH.

A retail automotive service use which provides cleaning and polishing of motor vehicles, including self-service operations, when such cleaning and polishing are conducted within an enclosed building having no openings, other than fixed windows or exits required by law located within 50 feet of any R district, and which has an off-street waiting and storage area outside the building which accommodates at least one-fourth the hourly capacity in vehicles of the enclosed operations.

SEC. 890.20. AWNING.

A light roof-like structure, supported entirely by the exterior wall of a building; consisting of a fixed or movable frame covered with cloth, plastic or metal; extending over doors, windows, and/or show windows; with the purpose of providing protection from sun and rain and/or embellishment of the facade; as further regulated in Sections 4506 and 5211 of the Building Code.

SEC. 890.22. BAR.

A retail use which provides on-site alcoholic beverage sales for drinking on the premises, including bars serving beer, wine and/or liquor to the customer where no person under 21 years of age is admitted (with Alcoholic Beverage Control [ABC] licenses 42, 48, or 61) and drinking establishments serving liquor (with ABC licenses 47 or 49) in conjunction with other uses which admit minors, such as restaurants, movie theaters, and other entertainment.

SEC. 890.26. CANOPY.

A light roof-like structure, supported by the exterior wall of a building and on columns or wholly on columns, consisting of a fixed or movable frame covered with approved cloth, plastic or metal, extending over entrance doorways only, with the purpose of providing protection from sun and rain and embellishment of the facade, as further regulated in Sections 4505, 4506, 4508, and 5213 of the Building Code.

SEC. 890.27 COMMERCIAL USES.

Commercial uses include those uses listed in sections 218 through 227 of Article 2 of this Code.

SEC. 890.30. DRIVE-UP FACILITY.

A structure designed for drive-to or drive-through trade which provides service to patrons while in private motor vehicles; excluding gas stations, service stations, auto repair garages and automotive wash, as defined in Sections 890.14, 890.15, 890.17 and 890.18 of this Code.

SEC. 890.34. EATING AND DRINKING USE.

A retail use which provides food and /or beverages for either on- or off-site food consumption including bars, full-service restaurants, fast food restaurants, and take out food.

SEC. 890.36. ENTERTAINMENT, ADULT.

A retail use which includes the following: adult bookstore, as defined by Section 791 of the Police Code; adult theater, as defined by Section 791 of the Police Code; and encounter studio, as defined by Section 1072.1 of the Police Code. Such use shall be located no less than 1,000 feet from another adult entertainment use.

SEC. 890.37. ENTERTAINMENT, OTHER.

A retail use, other than adult entertainment, as defined in Section 890.36 of this Code, which provides live entertainment, including dramatic and musical performances, and/or operates as a dance hall which provides amplified taped music for dancing on the premises, including but not limited to those defined in Section 1060 of the Police Code. Other entertainment also includes a bowling alley, billiard parlor, shooting gallery, skating rink and other commercial recreational activity, but it excludes amusement game arcades, as defined in Section 890.4 of this Code and regulated in Section 1036 of the Police Code.

SEC. 890.39. GIFT STORE - TOURIST ORIENTED

A retail use which involves the marketing of small art goods, gifts, souvenirs, curios, novelties to the public, particularly those who are visitors to San Francisco rather than local residents.

SEC. 890.44. HOSPITAL OR MEDICAL CENTER.

A public or private institutional use which provides medical facilities for inpatient care, medical offices, clinics, and laboratories. It shall also include employee or student dormitories adjacent to medical facilities when the dormitories are operated by and affiliated with a medical institution. The institution must have met the applicable provisions of Section 304.5 of this Code concerning institutional master plans.

SEC. 890.46. HOTEL, TOURIST.

A retail use which provides tourist accommodations including guest rooms or suites, which are intended or designed to be used, rented, or hired out to guests (transient visitors) intending to occupy the room for less than 32 consecutive days. This definition also applies to buildings containing six or more guest rooms designated and certified as tourist units, under Chapter 41 of the San Francisco Administrative Code. For purposes of this Code, a tourist hotel does not include a tourist motel, which contains guest rooms or suites which are independently accessible from the outside, with garage or parking space located on the lot, and designed for, or occupied by, automobile-traveling transient visitors. Tourist hotels shall be designed to include all lobbies, offices and internal circulation to guest rooms and suites within and integral to the same enclosed building or building as the guest rooms or suites.

SEC. 890.47 HOTEL, RESIDENTIAL.

A hotel, as defined in Chapter 41 of the San Francisco Administrative Code, which contains one or more residential hotel units. A residential hotel unit is a guest room, as defined in Section 203.7 of Chapter XII, Part II of the San Francisco Municipal Code (Housing Code), which had been occupied by a permanent resident on September 23,1979, or any guest room designated as a residential unit pursuant to Sections 41.6 or 41.7 of Chapter 41 of the San Francisco Administrative Code. Residential hotels are further defined and regulated in the Residential Hotel Unit Conversion and Demolition Ordinance, Chapter 41 of the San Francisco Administrative Code.

SEC. 890.48. HOURS OF OPERATION.

The permitted hours during which any commercial establishment, not including automated teller machines, may be open for business. Other restrictions on the hours of operation of movie theaters, adult entertainment, and other entertainment uses, as defined in Sections 890.64, 890.36., and 890.38 of this Code, respectively, shall apply pursuant to provisions in Section 303(c)5, when such uses are permitted as conditional uses.

SEC. 890.50. INSTITUTIONS, OTHER.

A public or private, non-profit or profit-making use, excluding hospitals and medical centers, which provides services to the community, including but not limited to the following:

(a) Assembly and Social Service. A use which provides social, fraternal, counseling or recreational gathering services to the community. It includes a private non-commercial club house, lodge, meeting hall,family or district association, recreation building, or community facility not publicly owned. It also includes an unenclosed recreation area or non-commercial horticulture area not publicly owned.

(b) Child Care. A use which provides less than 24-hour care for children by licensed personnel and which meets the requirements of the State of California and other authorities.

(c) Educational Service. A use certified by the State Educational Agency which provides educational services such as a school, college or university. It may include, on the same premises, employee or student dormitories and other housing operated by and affiliated with the institution.

(d) Religious Facility. A use which provides religious services to the community such as a church, temple or synagogue. It may include on the same lot, the housing of persons who engage in supportive activity for the institution.

(e) Residential Care. A medical use which provides lodging, board, and care for one day or more to persons in need of specialized aid by personnel licensed by the State of California and which provides no outpatient services; including but not limited to, a board and care home, rest home, or home for the treatment of the addictive, contagious, or other diseases or physiological disorders.

(f) Job Training. A use which provides job training and may also provide vocational counseling and job referrals.

SEC. 890.51. JEWELRY STORE.

A retail use which primarily involves the sale of jewelry to the general public. It may involve sales of precious stones, gems, precious metals, gold and silver or clocks and watches. Repair services or setting, custom design or manufacture of individual pieces of jewelry may also be provided.

SEC. 890.54. LIGHT MANUFACTURING, WHOLESALE SALES, STORAGE.

A commercial use, including light manufacturing, wholesale sales, and storage, as defined in subsections (a), (b) and (c) below.

(a) Light Manufacturing. A non-retail use which provides for the fabrication or production of goods, by hand or machinery, for distribution to retailers or wholesalers for resale off the premises, primarily involving the assembly, packaging, repairing, or processing of previously prepared materials, when conducted in an enclosed building having no openings other than fixed windows or exits required by law located within 50 feet of any R district. Light manufacturing uses include production and custom activities usually involving individual or special design, or handiwork, such as the following fabrication or production activities defined by the Standard Industrial Classification Code Manual as light manufacturing uses:

1. Food processing, not including mechanized assembly line production of canned or bottled goods
2. Apparel and other garment products
3. Furniture and fixtures
4. Printing and publishing of books or newspapers
5. Leather products
6. Pottery
7. Glass blowing
8. Measuring, analyzing, and controlling instruments; photographic, medical and optical goods; watches and clocks.

It shall not include the chemical processing of materials or the use of any machine that has more than five horsepower capacity, nor shall the mechanical equipment required for the use, together with related floor space used primarily by the operators of such equipment, in aggregate occupy more than 1/4 of the total gross floor area of the use.

It shall be distinct and separate from a trade shop, as defined in Section 890.124 of this Code. It shall not include general or heavy manufacturing uses, not described in this subsection (a).

(b) Wholesale Sales. A non-retail use which exclusively provides goods or commodities for resale or business use, including accessory storage. It shall not include a non-accessory storage warehouse.

(c) Storage. A commercial use which stores, within an enclosed building, household goods, contractors' equipment, building materials or goods or materials used by other businesses at other locations. This use shall not include the storage of waste, salvaged materials, automobiles, inflammable or highly combustible materials, and wholesale goods or commodities. This use shall include retail self-storage facilities for household goods.

SEC. 890.56. LOT SIZE [PER DEVELOPMENT].

The permitted gross lot area for new construction or expansion of existing development. Lot is defined in Section 102.12.

SEC. 890.58. MARQUEE.

A permanent roofed structure attached to and supported entirely by a building, including any object or decoration attached to or part of said marquee, no part of which shall be used for occupancy or storage. The purpose of the structure is to provide protection from sun and rain or embellishment of the facade, as further regulated in Sections 414 and 4506 of the Building Code.

SEC. 890.60. MASSAGE ESTABLISHMENT.

A retail use as defined in Section 2700 of the Police Code provided that the use is located no less than 1000 feet from the premises of any other massage establishment; except that this requirement shall not apply where massage services are incidental to the institutional uses permitted in Sections 890.44 and 890.50 of this Code or to the use by an individual member of the facilities of a health club, gymnasium, or other facility with a regular membership which health club, gymnasium or other facility is used primarily for instruction and training in body building, exercising, reducing, sports, dancing, or other similar physical activities.

SEC. 890.62. MORTUARY.

A retail use which provides funeral services, funeral preparation, or burial arrangements.

SEC. 890.64. MOVIE THEATER.

A retail use other than an adult theater, regulated as adult entertainment, defined in Section 890.36 of this Code, which displays motion pictures, slides, or closed circuit television pictures.

SEC. 890.68 NEIGHBORHOOD-SERVING BUSINESS.

A neighborhood-serving business cannot be defined by the type of use, but rather by the characteristics of its customers, types of merchandise or service, its size, trade area, and the number of similar establishments in other neighborhoods. The primary clientele of a "neighborhood-serving business", by definition, is comprised of customers who live and/or work nearby.

While a neighborhood-serving business may derive revenue from customers outside the immediately surrounding neighborhood, it is not dependent on out-of-neighborhood clientele.

A neighborhood serving use provides goods and/or services which are needed by residents and workers in the immediate neighborhood to satisfy basic personal and household needs on a frequent and recurring basic, and which if not available require trips outside of the neighborhood.

A use may be more or less neighborhood-serving depending upon its trade area. Uses which due to the nature of their products and services tend to be more neighborhood-serving are those which sell convenience items such as groceries, personal toiletries, magazines, and personal services such as cleaners, laundromats, film processing. Uses which tend to be less neighborhood-oriented are those which sell more specialized, more expensive, less frequently purchased comparison goods such as automobiles and furniture.

For many uses (such as stores selling apparel, household goods, and variety merchandise,) whether a business is neighborhood-serving depends on the size of the establishment: The larger the use, the larger the trade area, hence the less neighborhood-oriented.

Whether a business is neighborhood-serving or not also depends in part on the number and availability of other similar establishments in other neighborhoods: the more widespread the use, the more likely that it is neighborhood-oriented.

SEC. 890.70. OUTDOOR ACTIVITY AREA.

An area, not including primary circulation space or any public street, located outside of a building or in a courtyard which is provided for the use or convenience of patrons of a commercial establishment including, but not limited to, newspaper sales, sitting, eating, drinking, dancing, and food service activities.

SEC. 890.80. PUBLIC USE.

A publicly- or privately-owned use which provides public services to the community, whether conducted within a building or on an open lot, and which has operating requirements which necessitate location within the district, including civic structures such as museums, post offices, administrative offices of government agencies, public libraries, police stations, transportation facilities, utility installations , and wireless transmission facilities. Such use shall not include service yards, machine shops, garages, incinerators and publicly-operated parking in a garage or lot. Public uses shall also include a community recycling collection center, as defined in subsection (a) below.

(a) Community Recycling Collection Center. A public use, which collects, stores or handles recyclable materials, including glass and glass bottles, newspaper, aluminum, paper and paper products, plastic and other materials which may be processed and recovered, if within a completely enclosed container or building, having no openings other than fixed windows or exits required by law. This use shall not include the storage, exchange, packing, disassembling or handling of waste, used furniture and household equipment, used cars in operable condition, used or salvaged machinery, or salvaged house-wrecking and structural steel materials and equipment.

SEC. 890.84. RESIDENTIAL CONVERSION.

The change in occupancy (as defined and regulated by the Building Code) of any residential use to a non-residential use. This definition shall not apply to conversions of residential hotels as defined and regulated in Chapter 41 of the San Francisco Administrative Code.

SEC. 890.86. RESIDENTIAL DEMOLITION.

The demolition (as defined by the Building Code) of any building or structure or portion thereof containing a residential use. This definition shall not apply to conversions of residential hotels as defined and regulated in Chapter 41 of the San Francisco Administrative Code.

SEC. 890.88. RESIDENTIAL USE.

A use which provides housing for San Francisco residents, rather than visitors, including a dwelling unit or group housing, as defined in Subsections (a) and (b) below, or a residential hotel, as defined in Section 890.47 of this Code and in Chapter 41 of the San Francisco Administrative Code.

(a) Dwelling Unit. A residential use which consists of a suite of two or more rooms and includes sleeping, bathing, cooking, and eating facilities, and has only one kitchen.

(b) Group Housing. A residential use which provides lodging or both meals and lodging without individual cooking facilities for a week or more at a time in a space not defined as a dwelling unit. Group housing includes, but is not limited to, a rooming house, boarding house, guest house, lodging house, residence club, commune, fraternity and sorority house, monastery, nunnery, convent, and ashram. It also includes group housing operated by a medical or educational institution when not located on the same lot as such institution.

SEC. 890.90. RESTAURANT, FAST FOOD [SMALL]

(a) A retail eating or eating and drinking use which provides quick food service for consumption on and off the premises and which exhibits the following characteristics:

1. Contains fewer than 50 seats and less than 1,500 square feet of gross floor area.

2. A limited menu of ready-to-eat food prepared in advance of customer orders, or food which is able to be quickly prepared for consumption on or off the premises;

3. Food served in disposable wrappers or containers;

4. Food is ordered and served at customer service counter;

5. Food is paid for prior to consumption;

6. Food available upon a short waiting time.

It includes but is not limited to delicatessens, ice cream and cookie stores, sandwich shops, and bakeries. It does not apply to retail general or specialty grocery or confectionery stores. When a fast food restaurant operates within and in conjunction with another retail use, such as a retail grocery store, the area of the fast food restaurant shall be measured to include the area devoted to food preparation and service, seating and separate public food service counters excluding fish, poultry and meat counters.

(b) It may provide on-site beer and/or wine sales for drinking on the premises (with ABC licenses 40 or 60). If it serves liquor for drinking on the premises (with ABC licenses 47 or 48), or does not admit minors (with ABC licenses 42 or 61), then it shall also be considered a bar, as defined in Section 890.22 of this Code.

(c) It shall be conducted in accordance with the following conditions:

1. All debris boxes shall be kept in enclosed structures.

2. The operator shall be responsible for cleaning the sidewalk within a one-block radius daily to maintain the sidewalk free of paper or other litter during its business hours, in accordance with Article 1, Section 34 of the San Francisco Police Code.

3 Noise and odors shall be contained within the premises so as not to be a nuisance to nearby residents or neighbors.

SEC. 890.91. RESTAURANT, FAST FOOD [LARGE]

(a) A retail eating or eating and drinking use which provides quick food service to a high volume of customers at a high turnover rate, and which exhibits the following characteristics:

1. Contains 50 or more seats or gross floor area of 1500 square feet or more.

2 . A limited menu of ready-to-eat food prepared in advance of customer orders, or food which is able to be quickly prepared for consumption on or off the premises;

3. Food served in disposable wrappers or containers;

4. Food is ordered and served at customer service counter;

5. Food is paid for prior to consumption;

6. Public food service area, including queuing areas and service counters without fixed seats, which counters are designed specifically for the sale and distribution of food and beverages.

7. Food available upon a short waiting time.

It includes but is not limited to delicatessens, ice cream and cookie stores, sandwich shops, and bakeries. It does not apply to retail general or specialty grocery or confectionery stores. When a fast food restaurant operates within and in conjunction with another retail use, such as a retail grocery store, the area of the fast food restaurant shall be measured to include the area devoted to food preparation and service, seating and separate public food service counters excluding fish, poultry and meat counters.

(b) It may provide on-site beer and/or wine sales for drinking on the premises (with ABC licenses 40 or 60). If it serves liquor for drinking on the premises (with ABC licenses 47 or 48), or does not admit minors (with ABC licenses 42 or 61), then it shall also be considered a bar, as defined in Section 890.22 of this Code.

(c) It shall be conducted in accordance with the following conditions:

1. All debris boxes shall be kept in enclosed structures.

2. The operator shall be responsible for cleaning the sidewalk within a one-block radius daily to maintain the sidewalk free of paper or other litter during its business hours, in accordance with Article 1, Section 34 of the San Francisco Police Code.

3. Noise and odors shall be contained within the premises so as not to be a nuisance to nearby residents or neighbors.

SEC. 890.92. RESTAURANT, FULL SERVICE.

A retail eating or eating and drinking use which serves food to customers primarily for consumption on the premises, and is not specifically designed to attract and accommodate high customer volumes or turnover.

It has seating and serves prepared, ready-to-eat cooked foods for consumption on the premises. Guests typically order and receive food and beverage while seated on the premises and pay for service after the meal is served.

It includes, but is not limited to lunch counters, coffee shops, soda fountains and full-service dining establishments. It is distinct and separate from a small or large fast food restaurant, as defined in Sections 890.90 and 890.91 of this Code.

It may provide on-site beer and/or wine sales for drinking on the premises (with ABC licenses 40 or 60). If it serves liquor for drinking on the premises (with ABC licenses 47 or 48), or does not admit minors (with ABC licenses 42 or 61), then it shall also be considered a bar, as defined in Section 890.22 of this Code.

SEC. 890.100. SALES AND SERVICES, NON-RETAIL.

A commercial use which provides goods and/or services primarily to other businesses rather than to the general public, including light manufacturing, wholesale sales, storage and administrative services, as defined in Sections 890.54 and 890.106 of this Code, respectively.

SEC. 890.102. SALES AND SERVICES, OTHER RETAIL.

A retail use which provides goods and/or services but is not listed as a separate zoning category in zoning category numbers .41 through .63 of Sections 810 through 812 of this Code, including, but not limited to sale or provision of the following goods and services:

(a) General groceries;

(b) Specialty groceries such as cheese, confections, coffee, meat, produce;

(c) Pharmaceutical drugs and personal toiletries;

(d) Personal items such as tobacco and magazines;

(e) Self-service laundromats and dry cleaning, where no portion of a building occupied by such use shall have any opening other than fixed windows and exits required by law within 50 feet of any R district;

(f) Household goods and services (including paint, fixtures and hardware, but excluding other building materials);

(g) Variety merchandise;

(h) Florists and plant stores;

(i) Apparel and accessories;

(j) Antiques, art galleries and framing services;

(k) Home furnishings, furniture and appliances;

(l) Books, stationary, music and sporting goods; and

(m) Toys, gifts, and photographic goods and services.

It excludes tourist motels, as distinguised from tourist hostel in Section 899.46 of this Code, amusement game arcades and household goods self-storage facilities, which are included in storage, defined in Section 890.117 of this Code. It also excludes the sale of heating fuel and the sale or rental of commercial equipment (excluding office equipment) and construction materials, other than paint, fixtures and hardware.

SEC. 890.104. SALES AND SERVICES, RETAIL.

A commercial use which provides goods and/or services directly to the consumer and not for resale and is accessible to the general public.

SEC. 890.106. SERVICE, ADMINISTRATIVE.

A non-retail use which provides executive, management, administrative, clerical and other services exclusively to the business community and not to the general public.

Adminstrative services may include accessory storage, but not the storage of other items, other than samples for wholesale sale./

It does not include services which are available to the general public. Administrative services may include accessory storage, but not the storage of building materials, contractor's equipment, or maintenance equipment for non-residential structures, or items, other than samples, for wholesale sale.

SEC. 890.108. SERVICE. BUSINESS OR PROFESSIONAL.

A retail use which provides general business or professional services to the general public including, but not limited to, architectural, accounting, legal, consulting, insurance, real estate brokerage, and travel services.

This definition shall also apply to building, plumbing, electrical, painting, roofing, furnace or pest control contractors and storage of incidental equipment and supplies used by them, if located entirely within an enclosed building having no openings other than fixed windows or exits required by law within 50 feet of an R district, and if the storage of equipment and supplies does not occupy more than 2/3 of the total gross floor area of the use. No processing of building materials, such as mixing of concrete or heating of asphalt shall be conducted on the premises. Parking, loading and unloading of all vehicles used by the contractor shall be located entirely within the building containing the use.

This use shall not include research services of an industrial or scientific nature in a commercial or medical laboratory, other than routine medical testing and analysis by a health-care professional or hospital.

SEC. 890.110 SERVICE, FINANCIAL.

A retail use which provides banking services and products to the public, such as banks, savings and loans, and credit unions, when occupying more than 15 feet of linear frontage or 200 square feet of gross floor area.

SEC. 890.112. SERVICE, LIMITED FINANCIAL.

A retail use which provides banking services, when not occupying more than 15 feet of linear frontage or 200 square feet of floor area. Automated teller machines, if installed within such a facility or on an exterior wall as a walk-up facility, are included in this category; however, these machines are not subject to the hours of operation, as defined in Section 890.48 of this Code and set forth in zoning category number .27 of Sections 810 through 812 of this Code for each district.

SEC. 890.114. SERVICE, MEDICAL.

A retail use which provides medical and allied health services to the individual by physicians, surgeons, dentists, podiatrists, psychologists, psychiatrists, acupuncturists, chiropractors, or any other health-care professionals when licensed by a State-sanctioned Board overseeing the provision of medically-oriented services. It includes a clinic, primarily providing outpatient care in medical, psychiatric or other health services, and not part of a hospital or medical center, as defined in Section 890.44 of this Code.

SEC. 890.116. SERVICE, PERSONAL.

A retail use which provides grooming services to the individual, including salons, cosmetic services, tattoo parlors, and health spas, or instructional services not certified by the State Educational Agency, such as art, dance, exercise, martial arts, and music classes.

SEC. 890.118. STORY.

That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above.

It shall include any mezzanine, or intermediate level, the area of which does not exceed 33-1/3% of the total area of the floor, provided that the mezzanine is an open and integral part of the story of which it is a portion and there is no more than one mezzanine level per story.

(a) Basement. Space located below the first story of a building when such space is of sufficient floor to ceiling height for legal occupancy.

(b) Story, First. The highest building story with a floor level which is not more than 6 feet above grade at the center line of the frontage of the lot where grade is defined.

1. Grade. For purposes of this definition, grade is the point of elevation of the finished surface of the ground, paving or sidewalk at the property line located along primary frontage, i.e. any street frontage between two consecutive

streets or alleys where the total street frontage is entirely within a Chinatown Mixed Use district. If the lot has more than one property line or no property line located along primary frontage, the Zoning Administrator shall choose the property line facing a street or alley where the grade is defined. In such situations, the Zoning Administrator shall favor streets which serve as major transportation routes, major or secondary thoroughfares, and streets along which other commercial districts are located. When the property line is 5 feet or more from the building frontage, grade shall be taken at the surface of the ground, paving or sidewalk along the building frontage.

2. The provisions of Section 102.11 of this Code shall apply to define the point of measurement at grade where the building steps laterally in relation to the street used to define grade.

(c) Story, Second. The story above the first story.

(d) Story, Third and Above. The story or stories of a building above the second story and below the ceiling of the topmost story of a building.

SEC. 890.122. TAKE-OUT FOOD.

A retail eating or eating and drinking use without seating which provides ready-to-eat food to a high volume of customers, who carry out the food for off-premises consumption. The take-out food is sold in disposable wrappers or containers ready-to-eat food which is prepared on the premises and generally intended for immediate consumption off the premises.

Take out food includes, but is not limited to, delicatessens, ice cream and cookie stores, and retail bakeries. It does not include retail grocery stores with accessory take-out food activity, as described in Section 803.2(b)1(c) of this Code, or retail uses which sell prepackaged or bulk ready-to-eat foods with no on-site food preparation area, such as confectionery or produce stores.

It may include off-site beer, wine, and/or liquor sales for consumption off the premises (with ABC licenses 20 or 21).

SEC. 890.124. TRADE SHOP.

A retail use which provides custom crafted goods and/or services for sale directly to the consumer, reserving some storefront space for display and retail service; if conducted within an enclosed building having no openings other than fixed windows or exits required by law located within 50 feet of any R district. A trade shop includes, but is not limited to:

a) Repair of personal apparel, accessories, household goods, appliances, furniture and similar items, but excluding repair of motor vehicles and structures;

b) Upholstery services;

c) Carpentry;

d) Printing of a minor processing nature, including multicopy and blueprinting services, but excluding printing of books or newspapers, other than pamphlets and small reports;

e) Tailoring; and

f) Other artisan craft uses, including fine arts uses.

It does not include any shops which uses a single machine of more than five horsepower capacity, or a shop in which the mechanical equipment, together with related floor space used primarily by the operators of such equipment, occupies in the aggregate more than 1/3 of the total gross floor area of the use. A trade shop is distinct from light manufacturing, as defined in Section 890.54(a) of this Code.

SEC. 890.130. USE SIZE [NON-RESIDENTIAL].

The permitted gross floor area allowed each individual non-residential use. Gross floor area is defined in Section 102.8 of this Code.

SEC. 890.140. WALK-UP FACILITY.

A structure designed for provision of pedestrian-oriented services when located on an exterior building wall, including window service, self-service operations, and automated bank teller machines (ATMs).

SEC. 899. OTHER APPLICABLE SECTIONS OF THE CITY PLANNING CODE.

Reference should be made to other sections which also apply to Mixed Use districts. These sections and their titles are listed below.

General Provisions

Section 101	Purposes
Section 109	Severability

Definitions

Section 102-102.24	Definitions

Zoning Map

Section 105	Zoning Map
Section 106	Zoning Map Incorporated Herein

Building Standards

Section 122	Height and Bulk
Section 250	Height and Bulk Districts Established
Section 251	Height and Bulk Districts - Purpose
Section 252	Classes of Height and Bulk Districts
Section 260	Height Limits - Method of Measurement
Section 262	Additional Height Limits - Applicable to Signs
Section 270	Bulk limits - Measurement
Section 271	Bulk Limits - Special Exceptions
Section 121	Minimum Lot Width
Section 130	Yard and Setback Requirements
Section 131	Legislated Setback Line
Section 136	Obstructions over Street and Alleys
Section 140	All Dwelling Units to Face on Open Area
Section 141	Screening of Rooftop Features
Section 142	Screening of Parking Areas

Parking

Section 150	Off-Street Parking and Loading Requirements
Section 153	Rules for Calculation of Required Spaces

Section 154	Minimum Dimensions for Required Off-Street Parking & Loading Spaces
Section 155	General Standards as to Location and Arrangement of Off-Street Parking and Loading Spaces
Section 156	Parking Lots
Section 157	Conditional Use Applications for Parking Exceeding Accessory Amounts
Section 159	Required Off-Street Parking Not on the Same Lot as Structure or Use Served
Section 160	Collective Provision and Joint Use of Required Off-Street Parking

Signs

Sections 602-602.21	Definitions
Section 603	Exemption
Section 604	Permits and Conformity
Section 607	Commercial and Industrial Districts
Sections 608-608.1	Special Sign Districts
Section 609	Amortization Period

Uses

Section 203	Effect on Certain Public Services
Section 204	Accessory Uses General
Section 204.1	Accessory Uses for Dwellings in R District
Section 204.4	Dwelling Units Accessory to Other Uses
Section 204.5	Parking and Loading as Accessory Uses
Section 205-205.2	Temporary Uses
Section 235	Special Use Districts
Section 236	Garment Shop Special Use District
Article 10	Preservation of Historical, Architectural and Aesthetic Landmarks (Inclusive)

Procedures

Section 301	General Description
Section 302	Amendments
Section 303	Conditional Uses
Section 304.5	Institutional Master Plans
Section 305	Variances
Section 306-306.8	Applications and Hearings
Section 308	Other Powers and Duties of the Zoning Administrator
Section 308-308.2	Appeals

Fees

Article 3.5	Fees (Inclusive)

Compliance

Section 170	Applicability of Requirements
Section 171	Compliance of Uses Required
Section 172	Compliance of Structures, Open Spaces, and Off-Street Parking and Loading
Section 173	Compliance of Lots Required
Section 174	Compliance with Conditions, Stipulations, and Special Restrictions
Section 175	Approval of Permits
Section 176	Enforcement Against Violations
Section 180	Nonconforming Uses, Noncomplying Structures, and Substandard Lots
Section 181	Nonconforming Uses: Enlargements, Alterations, or Reconstruction
Section 182	Nonconforming Uses: Changes of Use
Section 183	Nonconforming Uses: Discontinuance and Abandonment
Section 184	Short-term Continuance of Certain Nonconforming Uses
Section 186	Exemption of Limited Commercial Nonconforming Uses
Section 187	Garment Shops and Garment Factories as Nonconforming Uses
Section 188	Noncomplying Structures: Enlargements, Alterations and Reconstruction

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By _____
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 6, 1987	April 13, 1987
Ayes: Supervisors Britt Hongisto Hsieh Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Hsieh Molinari Nelder Walker
Absent: Supervisors Gonzalez Maher Kennedy	Absent: Supervisors Hongisto Maher Kennedy Silver Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

_____
Clerk

File No.
36-87-3.2

APR 24 1987
Date Approved

_____
Mayor

FILE NO. 45-87-10

ORDINANCE NO. 132-87

RO #6707

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF JOHN STEVENS a/k/a RAS ION, AMOS COOK a/k/a RAS SOMA AGAINST DANIEL J. HANCE, CITY AND COUNTY OF SAN FRANCISCO, ET AL., FOR $35,000.00 TO JOHN STEVENS AND FOR $3,000.00 TO AMOS COOK, FOR A TOTAL OF $38,000.00.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "JOHN STEVENS a/k/a RAS ION, AMOS COOK a/k/a RAS SOMA v. DANIEL J. HANCE, CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 835-199, by the payment of $35,000.00 to John Stevens and $3,000.00 to Amos Cook, for a total payment of $38,000.00.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

By KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

SAN FRANCISCO POLICE DEPARTMENT

By FRANK JORDAN
Chief, San Francisco Police

FUNDS AVAILABLE:

John C Farrell
Controller
01 001 97 09 00
109138 1450 $38,000.00

FEB 17 1987

APPROVED:

POLICE COMMISSION:

Willie E. Frazier
Secretary

DOCUMENTS DEPT.

MAY 5 1987

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 6, 1987	April 13, 1987
Ayes: Supervisors Hsieh Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Hsieh Molinari Nelder Walker
Absent: Supervisors Britt Gonzalez Hongisto Kennedy	Absent: Supervisors Hongisto Maher Kennedy Silver Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 45-87-10

APR 24 1987
Date Approved

Dianne Feinstein
Mayor

FILE NO. 45-87-14 ORDINANCE NO. 133-87

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF PEDRO FERNANDEZ vs. MacGREGOR-NAVIRE (USA), INC., UPON RECEIPT OF THE SUM OF $6,500.00 AND AUTHORIZING DISMISSAL OF SAID LITIGATION.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is herby authorized and directed to settle San Francisco Superior Court No. 851040 entitled "PEDRO FERNANDEZ, Plaintiff vs. MacGREGOR-NAVIER (USA), Inc., Defendant and CITY AND COUNTY OF SAN FRANCISCO, Intervenor" by the acceptance of the sum of $6,500.00.

Section 2. Upon receipt of said sum of $6,500.00, the City Attorney is authorized to dismiss said complaint.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

By: EDW. C.A. JOHNSON
Deputy City Attorney

RECOMMENDED:

RETIREMENT BOARD
SAN FRANCISCO CITY AND COUNTY
EMPLOYEES' RETIREMENT SYSTEM

By: PAM LEVESQUE
Executive Assistant to
General Manager

0497R

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 6, 1987	April 13, 1987
Ayes: Supervisors Hsieh Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Hsieh Molinari Nelder Walker
Absent: Supervisors Britt Gonzalez Hongisto Kennedy	Absent: Supervisors Hongisto Maher Kennedy Silver Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-87-14

APR 24 1987
Date Approved

Mayor

FILE NO. 95-01-10

ORDINANCE NO. 134-87

RO #6745

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF P & J UTILITY COMPANY AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $29,000.00.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "P & J UTILITY COMPANY V. CITY AND COUNTY OF SAN FRANCISCO, et al. Superior Court No. 846-304," by the payment of $29,000.00.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

Kimberly A. Reiley

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

for Joan B. Carey

RICHARD J. EVANS, Director

FUNDS AVAILABLE:

By John C. Farrell

CONTROLLER
06 505 90 06 00
600452 1450 923-40
$29,000.00 MAR 24 1987
2539S/6

APPROVED:

CHIEF ADMINISTRATIVE OFFICER

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 6, 1987	April 13, 1987
Ayes: Supervisors Hsieh Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Hsieh Molinari Nelder Walker
Absent: Supervisors Britt Gonzalez Hongisto Kennedy	Absent: Supervisors Hongisto Maher Kennedy Silver Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
45-87-16

APR 24 1987
Date Approved

Dianne Feinstein
Mayor

FILE NO. 45-87-18 ORDINANCE NO. 135-87

(Settlement of Lawsuit)

AUTHORIZING SETTLEMENT OF LITIGATION IN HEARD AND GILMER V. CITY AND COUNTY OF SAN FRANCISCO, ET AL.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled HEARD AND GILMER V. CITY AND COUNTY OF SAN FRANCISCO, ET AL., San Francisco Superior Court No. 853-685 pursuant to the terms of the attached settlement agreement.

APPROVED AS TO FORM:
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. BEILEY
Chief Trial Deputy

RECOMMENDED:
SOCIAL SERVICES DEPARTMENT

ROSE LOU RANDOLPH
General Manager

FUNDS AVAILABLE:

N/R
CONTROLLER

APPROVED:

SOCIAL SERVICES COMMISSION

SECRETARY

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 6, 1987	April 13, 1987
Ayes: Supervisors Hsieh Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Hsieh Molinari Nelder Walker
Absent: Supervisors Britt Gonzalez Hongisto Kennedy	Absent: Supervisors Hongisto Maher Kennedy Silver Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-87-18

APR 24 1987
Date Approved

Mayor

FILE NO. 45-87-19 ORDINANCE NO. 136-87

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF DEBRA SHEPPARD vs. ARMANDO DI TALORDA, UPON RECEIPT OF THE SUM OF $7,166.00 AND AUTHORIZING DISMISSAL OF SAID LITIGATION.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized and directed to settle San Francisco Superior Court No. 836276 entitled "DEBRA SHEPPARD, Plaintiff vs. ARMANDO DI TALORDA, Defendant and CITY AND COUNTY OF SAN FRANCISCO, Intervenor" by the acceptance of the sum of $7,166.00

Section 2. Upon receipt of said sum of $7,166.00, the City Attorney is authorized to dismiss said complaint.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

By: EDW. C.A. JOHNSON
Deputy City Attorney

RECOMMENDED:

RETIREMENT BOARD
SAN FRANCISCO CITY AND COUNTY
EMPLOYEES' RETIREMENT SYSTEM

By: Pam Levesque
PAM LEVESQUE
Executive Assistant to
General Manager

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 6, 1987	April 13, 1987
Ayes: Supervisors Hsieh Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Hsieh Molinari Nelder Walker
Absent: Supervisors Britt Gonzalez Hongisto Kennedy	Absent: Supervisors Hongisto Maher Kennedy Silver Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 45-87-19

APR 24 1987
Date Approved

Dianne Feinstein
Mayor

FILE NO. 46-87-1 ORDINANCE NO. 137-87

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF CITY AND COUNTY OF SAN FRANCISCO v. TRAVELODGE, SAN FRANCISCO SUPERIOR COURT NO. 867-443, BY RECEIPT OF $25,000.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is authorized to settle the action entitled City and County of San Francisco v. Travelodge, San Francisco Superior Court No. 867-443, by the acceptance of $25,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:
ZONING ADMINISTRATOR

ROBERT W. PASSMORE

3729J

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
April 6, 1987	§	April 13, 1987
Ayes: Supervisors Hsieh Maher Molinari Nelder Silver Walker Ward	§	Ayes: Supervisors Britt Gonzalez Hsieh Molinari Nelder Walker
Absent: Supervisors Britt Gonzalez Hongisto Kennedy	§	Absent: Supervisors Hongisto Maher Kennedy Silver Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 46-87-1

APR 24 1987
Date Approved

Dianne Feinstein
Mayor

FILE NO. 127-87-3 ORDINANCE NO. 138-87

(Utility Users Tax)

AMENDING ARTICLE 10, PART III OF THE MUNICIPAL CODE BY AMENDING SECTIONS 703, 704, 705, 706, AND 706.1 THEREOF, RESCINDING RESOLUTION NO. 795-86, WHICH HAD SUSPENDED THE LEVY OF THE UTILITY USERS' TAX ON CHARGES FOR RESIDENTIAL USE.

NOTE: Additions or substitutions are underlined; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Article 10, Part III of the Municipal Code is hereby amended by amending Sections 703, 704, 705, 706 and 706.1 thereof to read as follows:

SEC. 703. Telephone Users Tax.

(a) There is hereby imposed a tax upon every person, other than a telephone corporation, using intrastate telephone communication services in the City and County. The tax imposed by this section shall be at the rate of five percent (5%) of the charges made for such services, including minimum charges for services; provided, however, that for the periods set forth below, the tax imposed by this section shall be at the rate set forth below of the charges made for such services, including minimum charges for services:

Tax Period Beginning with Bills Rendered On and After	Rate of Tax
January 1, 1977 through June 30, 1977	Six Percent (6%)
July 1, 1977 and thereafter	Five and One Half Percent (5-1/2%)

Provided, however, that on bills rendered on and after January 1, 1983, the tax shall not be applicable to charges made for

telephone service, as defined in section 36T of Pacific ((Telephone's)) Bell's tariff schedule. Provided further, however, that for bills rendered on and after January 1, 1984 and each subsequent year, the utility users tax shall continue to be inapplicable to charges made for residential telephone service, as defined in section 36T of Pacific ((Telephone's)) Bell's tariff schedule only if the Board of Supervisors, no later than the September immediately preceding the ensuing January 1, by resolution so provides. The tax imposed by this section shall be paid by the person paying for such services.

ah (b) The Board of Supervisors hereby rescinds Resolution No. 795-86, which had suspended, for the year commencing January 1, 1987 and ending December 31, 1987, the levy of the utility users tax imposed by this section on charges made for residential telephone service. The Utility Users tax imposed by this section shall be levied on all charges for telephone services on bills rendered on or after the effective date of the ordinance adding this subsection.

4/15/87 ah

(c) As used in this section, the term "charges" shall not include charges for services paid for by inserting coins in coin-operated telephones except that where such coin-operated telephone service is furnished for a guaranteed amount, the amounts paid under such guarantee plus any fixed monthly or other periodic charge shall be included in the base for computing the amount of tax due; nor shall the term "charges" include charges for any type of service or equipment furnished by a service supplier subject to Public Utility regulation during any period in which the same or similar services or equipment are also available for sale or lease from persons other than a service

BOARD OF SUPERVISORS

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words "telephone communication services" include land mobile services or maritime mobile services as defined in Section 2.1 of Title 47 of the Code of Federal Regulations, as said section existed on January 1, 1970. The term "telephone communication services" refers to that service which provides access to a telephone system and the privilege of telephonic quality communications with substantially all persons having telephone stations which are part of such telephone system. The Telephone Users Tax is intended to, and does, apply to all charges billed to a telephone having a situs in the City and County, irrespective of whether a particular telephone call originates and/or terminates within the City and County.

(d) The tax imposed by this section shall be collected from the service user by the person providing the intrastate telephone communication services. The amount of the tax collected in one (1) month shall be remitted to the Tax Collector on or before the last day of the following month.

(e) Notwithstanding the provisions of subsection (a), the tax imposed under this section shall not be imposed upon any person for using intrastate telephone communication services to the extent that the amounts paid for such services are exempt from or not subject to the tax imposed under Section 4251 of Title 26 of the United States Code, as such section existed on the effective date hereof.

SEC. 704. Electricity Users Tax.

(a) There is hereby imposed a tax upon every person, other than an electrical corporation or a gas corporation, using electrical energy in the City and County. The tax imposed by

charges made for such energy and shall be paid by the person paying for such energy. "Charges" as used in this section shall include charges made for (1) metered energy, and (2) minimum charges for service, including customer charges, service charges, demand charges, standby charges and annual and monthly charges. Provided, however, that after January 1, 1983, the tax shall not be applicable to charges for electricity billed to residential customers only. Provided further, however, that after January 1, 1984 and each subsequent year, the utility users tax shall continue to be inapplicable to charges for electricity billed to residential customers only if the Board of Supervisors, no later than the September 15 immediately preceding the ensuing January 1, by resolution so provides.

ah (b) The Board of Supervisors hereby rescinds Resolution No. 795-86, which had suspended, for the year commencing January 1, 1987 and ending December 31, 1987, the levy of the utility 4/15/87 users tax imposed by this section on charges, except those exempted under Section 707, made on electricity ah billed to residential customers. The Utility Users tax imposed by this section shall be levied on all charges for using electrical energy on bills rendered on or after the effective date of the ordinance adding this subsection.

(c) As used in this section the term "using electrical energy" shall not be construed to mean the storage of such energy by a person in a battery owned or possessed by him for use in an automobile or other machinery or device apart from the premises upon which the energy was received, provided however, that the term shall include the receiving of such energy for the purpose of using it in the charging of batteries.

(d) As used in this section, the words "using electrical

energy by an electrical corporation or a governmental agency at a point within the City and County for resale, or electrical energy used by a water corporation to pump water.

(e) As used in this section, the words "residential customers" shall mean and include:

1. Every person who is charged for electricity based upon residential and/or domestic rate schedules filed with the California Public Utilities Commission by an electrical corporation, and

2. Any residential hotel where at least fifty percent (50%) of the guest units in the residential hotel are leased for a minimum period of one month and are occupied for nine months of the year.

(f) The tax imposed by this section shall be collected from the service user by the person supplying such electrical energy. The amount of tax collected in one month shall be remitted to the Tax Collector on or before the last day of the following month.

SEC. 705. Gas Users Tax.

(a) These is hereby imposed a tax upon every person, other than a gas corporation or an electrical corporation, using gas which is delivered through mains or pipes in the City and County by a gas corporation. The tax imposed by this section shall be at the rate of five percent (5%) of the charges made for such gas, including minimum charges for services, and shall be paid by the person paying for such gas. Provided, however, that after January 1, 1983, the tax shall not be applicable to charges for gas billed to residential customers only. Provided further,

for gas billed to residential customers only if the Board of Supervisors, no later than the September 15 immediately preceding the ensuing January 1, by resolution so provides.

ah (b) The Board of Supervisors hereby rescinds Resolution No. 795-86, which had suspended, for the year commencing January 1, 1987 and ending December 31, 1987, the levy of the utility users tax imposed by this section on charges 4/15/87 ah except those exempted under Section 707 for gas billed to residential customers. The Utility Users tax imposed by this section shall be levied on all charges for gas on bills rendered on or after the effective date of the ordinance adding this subsection.

(c) As used in this section, the word "charges" shall not include charges made for gas used in the generation of electrical energy by a public utility or a governmental agency.

(d) As used in this section, the words "using gas" shall not be construed to mean the receiving of such gas by a gas corporation or governmental agency at a point within the City and County for resale and delivery through pipes and mains or gas used by a water corporation to pump water.

(e) As used in this section, the words "residential customers" shall mean and include:

1. Every person who is charged for gas based upon residential and/or domestic rate schedules filed with the California Public Utilities Commission by a gas corporation, and

2. Any residential hotel where at least fifty percent (50%) of the guest units in the residential hotel are leased for a minimum period of one month and are occupied

(f) The tax imposed in this section shall be collected from the service user by the person selling the gas. The amount collected in one month shall be remitted to the Tax Collector on or before the last day of the following month.

SEC. 706. Water Users Tax.

(a) There is hereby imposed a tax upon every person, other than a water corporation, using water which is delivered through mains or pipes in the City and County. The tax imposed by this section shall be at the rate of five percent (5%) of the charges made for such water including minimum charges for services, and shall be paid by the person paying for such water. Provided, however, that after January 1, 1983, the tax shall not be applicable to charges for water billed to residential customers only. For the purposes of this section, a residential customer shall include any residential hotel where at least fifty percent (50%) of the guest units in the residential hotel are leased for a minimum period of one month and are occupied for nine months of the year. Provided further, however, that after January 1, 1984 and each subsequent year, the utility users tax shall continue to be inapplicable to charges for water billed to residential customers only if the Board of Supervisors, no later than the September 15 immediately preceding the ensuing January 1, by resolution so provides.

(b) The Board of Supervisors hereby rescinds Resolution No. 795-86, which had suspended, for the year commencing January 1, 1987 and ending December 31, 1987, the levy of the utility users tax imposed by this section on charges for water billed to residential customers. The Utility Users tax imposed by this

this subsection.

(c) The tax imposed by this section shall be collected from the service user by the City and County or other person supplying the water. The amount collected in one month shall be remitted to the Tax Collector on or before the last day of the following month.

SEC. 706.1. Steam Users Tax.

(a) There is hereby imposed a tax upon every person, other than a steam corporation, using steam heat which is delivered through mains or pipes in the City and County. The tax imposed by this section shall be at the rate of five percent (5%) of the charges made for such steam heat, including minimum charges for services, and shall be paid by the person paying for such steam heat. Provided, however, that after January 1, 1983, the tax shall not be applicable to users of steam for residential purposes. For the purposes of this section, a residential customer shall include any residential hotel where at least fifty percent (50%) of the guest units in the residential hotel are leased for a minimum period of one month and are occupied for nine months of the year. Provided further, however, that after January 1, 1984 and each subsequent year, the utility users tax shall continue to be inapplicable to users of steam for residential purposes only if the Board of Supervisors, no later than the September 15 immediately preceding the ensuing January 1, by resolution so provides.

ah (b) The Board of Supervisors hereby rescinds Resolution No. 795-86, which had suspended, for the year commencing January

1, 1987 and ending December 31, 1987, the levy of the utility users tax imposed by this section on charges for steam heat for residential purposes, except those exempted under Section 707. The Utility Users tax imposed by this section shall be levied on all charges for steam heat on bills rendered on or after the effective date of the ordinance adding this subsection.

(c) The tax imposed by this section shall be collected from the service user by the City and County or other person supplying the steam heat. The amount collected in one month shall be remitted to the Tax Collector on or before the last day of the following month.

Approved as to Form:

GEORGE AGNOST, CITY ATTORNEY

By _____
Deputy City Attorney

6944F
see 1466E(archive disk 0002E)

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 20, 1987	April 27, 1987
Ayes: Supervisors Gonzalez Hsieh Kennedy Maher Molinari Silver Walker Ward	Ayes: Supervisors Gonzalez Hongisto Hsieh Kennedy Maher Molinari Walker Ward
Noes: Supervisors Nelder	Noes: Supervisors Britt Nelder
Absent: Supervisors Britt Hongisto	Absent: Supervisors Silver

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
127-87-3

APR 27 1987
Date Approved

Mayor

FILE NO. 101-86-90

ORDINANCE NO. 139-87
RO #6761 SA #77

(Government Funding)

APPROPRIATING $13,552 FOR PERMANENT SALARIES, COUNTY AGRICULTURE - WEIGHTS AND MEASURES (IMMEDIATE FILLING OF VACANCY) AND RESCINDING $13,552 FROM PERMANENT SALARIES, ASSESSOR, FOR FISCAL YEAR 1986-87.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1986-87 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
02-04-00	Assessor - Administration		
01-0010 (301598)	Permanent Salaries	$13,552	
72-01-00	County Agriculture-		
	Weights and Measures		
01-0010 (422014)	Permanent Salaries	_____	$13,552
	Total	$13,552	$13,552

Section 2. Pursuant to the provisions of Section 16.17 of the Administrative Code and Section 10.1 of the current Annual Appropriation Ordinance the immediate filling of the vacated position of #3456 County Agricultural Commissioner and Sealer of Weights and Measures requested by the appointing officer and recommended by the General Manager, Personnel and the Mayor is hereby approved.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

APPROVED: CIVIL SERVICE COMMISSION

By: _____
General Manager, Personnel

FUNDS AVAILABLE
John C. Farrell
CONTROLLER MAR 27 1987

RECOMMENDED:
_____
MAYOR

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 20, 1987	April 27, 1987
Ayes: Supervisors Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Hongisto Hsieh Kennedy Maher Molinari Nelder Walker Ward
Absent: Supervisors Britt Hongisto	Absent: Supervisors Gonzalez Silver

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
101-86-90

APR 28 1987
Date Approved

_____
Mayor

Ordinance No. 140-87

- CANCELLED -

FILE NO. 67-87-1 ORDINANCE NO. 141-87

(Redevelopment Plan Amendment)

AMENDING ORDINANCE NO. 26-69, APPROVING THE REDEVELOPMENT PLAN FOR THE BUTCHERTOWN APPROVED REDEVELOPMENT PROJECT AREA, BY AMENDING SAID PLAN TO ALTER THE LAND USE PROVISIONS IN THE RETAIL AND BUSINESS SERVICES SECTION OF SAID PLAN; AND TO DELETE THE RESTRICTION ON SPECIFIC LAND USES AND REPLACE IT WITH A PROVISION WHICH REQUIRES REDEVELOPMENT AGENCY COMMISSION APPROVAL OF ALL RETAIL AND BUSINESS SERVICES LAND USES; AND TO CHANGE THE PROJECT NAME FROM BUTCHERTOWN TO INDIA BASIN INDUSTRIAL PARK.

WHEREAS, the Redevelopment Plan for the Butchertown Redevelopment Project Area was approved and adopted in 1969 by Ordinance No. 26-69, which ordinance designated said Redevelopment Plan so approved and adopted as the official Redevelopment Plan for the Butchertown Redevelopment Project Area, and said Plan is incorporated by reference and made a part of said Ordinance; and

WHEREAS, the Redevelopment Agency of the City and County of San Francisco has proposed an Amendment (the "Amendment") to said Redevelopment Plan, and has submitted the proposed Amendment together with the required Report on the Amendment to this Board of Supervisors; and

WHEREAS, the Redevelopment Agency of the City and County of San Francisco has submitted to the Board of Supervisors copies of its Resolution No. 67-87, adopted on March 3, 1987, approving the Amendment and recommending its approval and adoption by this Board; and

WHEREAS, this Board of Supervisors held a public hearing on April 13, 1987, to consider the proposed Amendment to said Redevelopment Plan, notice of which hearing was published in accordance with law:

NOW, THEREFORE, BE IT ORDAINED BY THE PEOPLE OF THE CITY AND COUNTY OF SAN FRANCISCO

Section 1: Purpose and Intent. It is hereby found and determined that the intent of the Board of Supervisors with respect to the Butchertown Redevelopment Project Area (sometimes hereinafter "Project Area") is to alter the land use provisions in the Retail and Business Services section of the Redevelopment Plan, to delete the restriction on specific land uses and replace it with a provision which requires Redevelopment Agency Commission approval of all retail and business services land uses, and to change the Project Area name from Butchertown to India Basin Industrial Park.

Section 2: Conformity with Master Plan. It is hereby found and determined that the proposed Amendment to the Redevelopment Plan is in conformance with the Master Plan of the City and County of San Francisco.

Section 3: Conformity with the Community Redevelopment Law in Public Interest. It is hereby found and determined that the proposed Amendment to the Redevelopment Plan will develop the Project Area in conformity with the Community Redevelopment Law and in the interest of the public peace, health, safety, and welfare.

Section 4: Economic Soundness and Feasibility. It is hereby found and determined that adoption and implementation of the proposed Amendment to the Redevelopment Plan is economically sound and feasible.

Section 5: Effectuation of Purposes and Policy of Law. It is hereby found and determined that implementation of the proposed Amendment to the Redevelopment Plan would effectuate the purposes and policy of the Community Redevelopment Law.

Section 6: Necessary and Desirable; Approval and Adoption. This Board of Supervisors hereby finds, determines, and declares that the Amendment to the

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Redevelopment Plan for the Butchertown Redevelopment Project Area, which has been proposed, approved and recommended by the Redevelopment Agency of the City and County of San Francisco, as set forth in that Agency's Resolution No. 67-87, adopted on March 3, 1987, is necessary and desirable and the same is hereby approved and adopted.

Section 7: Amendment by Ordinance. Ordinance No. 26-69, adopted on January 20, 1969, is hereby amended by this Ordinance. The Redevelopment Plan for the Butchertown Redevelopment Project Area, as amended hereby, includes the alteration of land use provisions in the Retail and Business Services section of the Redevelopment Plan, and deletion of the restriction on specific land uses and replacing it with a provision which requires Redevelopment Agency Commission approval of all retail and business services land uses, and changing the Project Area name from Butchertown to India Basin Industrial Park.

Section 8: Redevelopment of the Project Area. It is hereby found and determined that the elimination of blight and the redevelopment of the Project Area could not reasonably be expected to be accomplished by private enterprise acting alone without the aid and assistance of the Redevelopment Agency.

Section 9: Tax Increment Financing and the Potential for Financial Burden. It is hereby found and determined that the effect of tax increment financing will not cause a severe financial burden or detriment on any taxing agency deriving revenues from the Project Area.

Section 10: Copy of Amendment; Incorporation. A copy of the Amendment to the Redevelopment Plan for the Butchertown Redevelopment Project Area is on file in the office of the Clerk of the Board of Supervisors of the City and County of San Francisco. By this reference, said Amendment to the Redevelopment Plan for the Butchertown Redevelopment Project Area is incorporated in and made a part of this

Ordinance with the same force and effect as though set forth fully herein.

APPROVED AS TO FORM:

Louise H. Renne, City Attorney

By: [signature]
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 13, 1987	April 20, 1987
Ayes: Supervisors Gonzalez Hongisto Hsieh Maher Molinari Nelder Walker	Ayes: Supervisors Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward
Absent: Supervisors Britt Kennedy Silver Ward	Absent: Supervisors Britt Hongisto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Clerk

File No. 67-87-1

MAY 1 1987
Date Approved

[signature]
Mayor

FILE NO. 90-87-1 ORDINANCE NO. 142-87

CHANGE IN DESIGNATION OF 647 MISSION STREET FROM A CATEGORY V - UNRATED BUILDING, TO A CATEGORY I - SIGNIFICANT BUILDING, PURSUANT TO ARTICLE 11 OF THE CITY PLANNING CODE.

Be it Ordained by the People of the City and County of San Francisco:

Section 1. The Board of Supervisors hereby finds that 647 Mission Street, pursuant to Section 1102 Standards for Designation of Buildings of the City Planning Code, is a building of at least 40 years of age, is a building of individual importance, and is rated Very Good in both Design and Relationship to the Environment evaluation criteria.

(a) Designation. Pursuant to Section 1106 of the City Planning Code, Chapter II, Part II of the San Francisco Municipal Code, Appendix A of said Article 11 is hereby amended to include 647 Mission Street, Lot 69 in Assessor's Block 3722, this designation having been duly approved by Motion No. 10700A of the City Planning Commission, which motion is on file with the Clerk of the Board of Supervisors under File No. 90-87-1 .

(b) Required Data. The evaluation upon which this designation is based, including the new information required pursuant to Section 1106(h)(6), is contained within the Department of City Planning Docket No. 86.238G, and is incorporated herein as though fully set forth.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By _____
Deputy City Attorney

RECOMMENDED:
CITY PLANNING COMMISSION

By Dean L. Macris
Dean L. Macris
Director of Planning

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 13, 1987	April 20, 1987
Ayes: Supervisors Britt Gonzalez Hsieh Maher Molinari Nelder Walker	Ayes: Supervisors Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward
Absent: Supervisors Hongisto Silver Kennedy Ward	Absent: Supervisors Britt Hongisto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No. 90-87-1

MAY 1 1987
Date Approved

Mayor

FILE NO. 101-86-88

ORDINANCE NO. 143-87

(Government Funding)

RO # 06747 SA #136

APPROPRIATING $1,000,000 FOR CONTRIBUTION TO AGENCY FUND (AID TO HOMELESS), SOCIAL SERVICES, FOR FISCAL YEAR 1986-87.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1986-87 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
G.L. 491	Unappropriated Revenue Retained		
SUB (000098)	Capital Reserve	$1,000,000	
01-001	General Fund		
10-1470 (648915)	Contribution to Agency Fund		
Project 118-01	Aid to Homeless		$1,000,000
		$1,000,000	$1,000,000

APPROVED AS TO FORM :
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

John C Farrell
CONTROLLER

MAR 24 1987

RECOMMENDED:

Diane Feinstein
MAYOR

0889M-1p

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 20, 1987	April 27, 1987
Ayes: Supervisors Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Hongisto Hsieh Kennedy Maher Molinari Nelder Walker Ward
Absent: Supervisors Britt Hongisto	Absent: Supervisors Gonzalez Silver

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-86-88

MAY 1 1987
Date Approved

Diane Feinstein
Mayor

FILE NO. 97-87-16

Amended in Committee 4/1/87

ORDINANCE NO. 144-87

(Narcotics Forfeiture Fund)

AMENDING CHAPTER 10 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 10.117-54 THEREOF, PERMITTING, SUBJECT TO MAYORAL APPROVAL, ALL CITY LAW ENFORCEMENT AGENCIES TO PARTICIPATE IN ACTIVITIES ESTABLISHED AND FUNDED THROUGH THE NARCOTICS FORFEITURE FUND.

NOTE: Additions and substitutions are indicated by underlining; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco that:

Section 1. Chapter 10 of the San Francisco Administrative Code is hereby amended, by amending Section 10.117-54 thereof, to read as follows:

SEC. 10.117-54. NARCOTICS FORFEITURE FUND.

(a) Establishment of Fund. There is hereby established a special fund for the purpose of receiving money or tangible property which reflects the City and County's participation in acts leading to the seizure or forfeiture of property pursuant to 21 U.S.C. § 881. Said special fund shall be known and designated as the Narcotics Forfeiture Fund. Subject to prior approval by the Mayor, ((Police Commission)) the head of any law enforcement agency of the City and County is authorized to apply for and accept, on behalf of the City and County, any such money or property received from the federal government. Such money or property shall, consistent with federal guidelines, be used exclusively for law enforcement purposes to fund enforcement, training, prevention and prosecution programs related to, and to procure equipment to enhance the effectiveness of, the ((Police Department's)) enforcement of narcotics laws.

(b) Expenditure of Monies. The monies in this Fund are hereby appropriated, and the use of tangible property shall be made, for the purposes enumerated in Subsection (a), ((and)) consistent with any federal guidelines for their use, and subject to any restrictions placed on the funds by any agency of the federal government. Subject to prior approval by the Mayor, the head of ~~the recipient~~ any law enforcement agency of the City and County ((the Chief of Police)) may disburse sums from this Fund. Quarterly reports reflecting the expenditures from this Fund shall be submitted to the Mayor and the Board of Supervisors. No costs which may be incurred by any City department in administering this Fund shall be recovered therefrom.

(c) Accumulation of Monies. The balance remaining in this Fund at the close of any fiscal year shall be deemed to have been provided for a specific purpose within the meaning of Charter Section 6.306, and shall be carried forward and accumulated in said Fund for the purposes recited therein.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

Deputy City Attorney

7050F

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
April 6, 1987	§	April 27, 1987
Ayes: Supervisors Hongisto Hsieh Molinari Silver Walker Ward	§	Ayes: Supervisors Britt Hongisto Hsieh Kennedy Maher Molinari Nelder Walker Ward
Noes: Supervisors Britt Maher Nelder	§	
Absent: Supervisors Gonzalez Kennedy	§	Absent: Supervisors Gonzalez Silver

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 97-87-16

MAY 1 1987
Date Approved

Mayor

ORDINANCE

145-87

15 a

Cancelled number

FILE NO. 97-87-20 ORDINANCE NO. 146-87

[Health Service System Rates]

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 16.157 THEREOF, APPROVING HEALTH SERVICE SYSTEM PLANS AND RATES OF CONTRIBUTION, AS ADOPTED BY THE HEALTH SERVICE BOARD.

Be it ordained by the People of the City and County of San Francisco:

(Deletions are indicated by ((double parentheses)); additions are indicated by <u>underscoring</u>.)

Section 1. The San Francisco Administrative Code is hereby amended by amending Section 16.157 thereof, to read as follows:

SEC. 16.157. <u>HEALTH SERVICE SYSTEM; CHANGES.</u> Changes in contribution rates adopted by the Health Service Board, as respects the plans of the Health Service System, to become effective on July 1, ((1986)) <u>1987</u>, for the fiscal year July 1, ((1986)) <u>1987</u> through June 30, ((1987)) <u>1988</u>, which changes are on file with the Clerk of the Board of Supervisors, are hereby approved.

(See file for departmental signatures)

APPROVED AS TO FORM:

LOUISE RENNE, City Attorney

By _____

Deputy City Attorney

0918c

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MAY 20 1987

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
April 20, 1987	§	April 27, 1987
Ayes: Supervisors Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward	§	Ayes: Supervisors Britt Hongisto Hsieh Kennedy Maher Molinari Nelder Walker Ward
Absent: Supervisors Britt Hongisto	§	Absent: Supervisors Gonzalez Silver

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____ Clerk

File No. 97-87-20

MAY 8 1987
Date Approved

_____ Mayor

FILE NO. 101-86-79

ORDINANCE NO. 147-87

RO #6728 SA #128

(Government Funding)

APPROPRIATING $101,500 FOR MATERIAL AND SUPPLIES, AND RESCINDING $101,500 FROM MANDATORY FRINGE BENEFITS, POLICE, FOR FISCAL YEAR 1986-87.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1986-87 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PDURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
38-02-51	Police		
04-0602 (582015)	Mandatory Fringe Benefits	$101,500	
11-1300 (582015)	Material and Supplies		$101,500
	Total	$101,500	$101,500

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: _____
Deputy City Attorney

FUNDS AVAILABLE:

John C Farrell
Controller MAR 4 - 1987

RECOMMENDED:

Mayor

fh (#1768A)

DOCUMENTS DEPT.
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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 20, 1987	April 27, 1987
Ayes: Supervisors Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Hongisto Hsieh Kennedy Maher Molinari Nelder Walker Ward
Absent: Supervisors Britt Hongisto	Absent: Supervisors Gonzalez Silver

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 101-86-79

MAY 8 1987
Date Approved

Mayor

Amended in Committee 4/1/87

FILE NO. 101-86-87

ORDINANCE NO. 148-87

RO #6705 SA #102

4/1/87
ah

(Government Funding)

APPROPRIATING $13,944 ~~$15,438~~ FOR PERMANENT SALARIES AND RESCINDING $13,944 ~~$15,438~~ FROM PERMANENT SALARIES, MISCELLANEOUS AND CRAFT, FOR THE CREATION OF ONE (1) POSITION AND THE DELETION OF TWO (2) POSITIONS, MUNICIPAL RAILWAY FOR FISCAL YEAR 1986-87; PLACING RESERVE ON $13,944.00 ~~SUBJECT OF PREVIOUS BUDGETARY DENIAL~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1986-87 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
31-001	Municipal Railway Operating Fund		
35-00-00	Municipal Railway		
01-0010 (560664)	Permanent Salaries - Miscellaneous	* $10,644 ~~$12,438~~	
01-0030 (560722)	Permanent Salaries - Craft	3,300	
01-0010 (560946)	Permanent Salaries - Miscellaneous		$13,944 ~~$15,438~~
	Total	$13,944 ~~$15,438~~	$13,944 ~~$15,438~~

Section 2. Funds are hereby appropriated for one (1) position created and two positions deleted by amendment to the Annual Salary ORDINANCE (Board of Supervisor's File No. 102-86-34) as follows:

Funds Department Classification	Municipal Railway Operating Fund Municipal Railway Rate of Pay	Create	Delete
A786 Deputy Gen. Mgr.-Adm	2,490 B 2,490	1	
7329 Electronic Maint. Technician	1,618 B 1,965		1
9140 Transit Mgr. I	1,463 B 1,773		1

//////

~~Section 3. This Ordinance is Hereby Adopted by a two-thirds vote of all members of the Board of Supervisors pursuant to the provisions of Section 6.306 of the Charter. This item was previously requested by a Supplemental Appropriation and denied by the Mayor~~.

* Sec. 3. Funds in the amount of $13,944 are hereby held in reserve pending approval by the Civil Service Commission and release by the Finance Committee of the Board of Supervisors.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

By John C Farrell
CONTROLLER

MAR 17 1987

APPROVED:
CIVIL SERVICE COMMISSION

GENERAL MANAGER, PERSONNEL

RECOMMENDED:

MAYOR

RD:lp-0842M

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
April 20, 1987	§	April 27, 1987
	§	
	§	
Ayes: Supervisors Gonzalez Hsieh	§	Ayes: Supervisors Britt Hongisto
Kennedy Maher Molinari Silver	§	Hsieh Kennedy Maher Molinari
Walker Ward	§	Walker Ward
	§	
No~~es:~~ Supervisor~~s~~ Nelder	§	No~~es:~~ Supervisor~~s~~ Nelder
	§	
Absent: Supervisors Britt Hongisto	§	Absent: Supervisors Gonzalez Silver

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-86-87

MAY 8 1987
Date Approved

Dianne Feinstein
Mayor

AMENDED IN COMMITTEE 4/15/87

FILE NO. 101-86-89

ORDINANCE NO. 149-87

RO 6763 SA #144

(Government Funding)

APPROPRIATING $ 96,140 ~~$137,660~~ FOR RENTAL OF PROPERTY (TOW OPERATIONS), SERVICES OF REAL ESTATE, AND FIXED CHARGES, AND RESCINDING $ 96,140 ~~$137,660~~ FROM PERMANENT SALARIES UNIFORM, POLICE FOR FISCAL YEAR 1986-87.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1986-87 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
38-01-44	Police		
01-0010	Permanent Salaries - Uniform	$ 96,140 ~~$137,660~~	
10-1460 (580019)	Rental of Property		$ 79,140 ~~$120,660~~
30-3030	Services of Real Estate		15,000
10-1400	Fixed Charges		2,000
	Total	$ 96,140 ~~$137,660~~	$ 96,140 ~~$137,660~~

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

[signature]
CONTROLLER

RECOMMENDED: MAR 30 1987

[signature]
MAYOR

lp(0896M-pg.6)

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
April 20, 1987	§	April 27, 1987
Ayes: Supervisors Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward	§	Ayes: Supervisors Britt Hongisto Hsieh Kennedy Maher Molinari Nelder Walker Ward
Absent: Supervisors Britt Hongisto	§	Absent: Supervisors Gonzalez Silver

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Clerk

File No. 101-86-89

MAY 8 1987
Date Approved

[signature]
Mayor

FILE NO. 101-86-91

ORDINANCE NO. 150-87

RO #6766 SA #148

(Government Funding)

APPROPRIATING $3,520,559 FOR RETROACTIVE SALARIES AND RELATED MANDATORY FRINGE BENEFITS, DEPARTMENT OF PUBLIC WORKS - STREET CLEANING AND LANDSCAPE MAINTENANCE, FOR FISCAL YEAR 1986-87.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1986-87 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
G.L. 491 (000026)	Unappropriated Revenue Retained		
SUB. (000060)	Reserve Lawsuit for Street Cleaners	$3,520,559	
90-08-00	Public Works - Street Cleaning and Landscape Maintenance		
05-0176 (782003)	Retroactive Salaries		$3,186,506
49-4900 (893206)	Revenue Transfer Out to 02-091, Special Gas Tax Street; #90-08-00 Public Works - Street Cleaning and Maintenance		334,053
	Total	$3,520,559	$3,520,559
02-091	Special Gas Tax Street Improvement Fund		
90-08-00	Public Works - Street Cleaning and Landcape Maintenance		
99-9990 (212985)	Revenue Transfer - In from 01-001, General Fund, #99-00-00 General Fund Unallocated	$334,053	
01-0010 (782011)	Permanent Salaries		$266,922
04-0600	Retirement		48,046
04-0606	Social Security		19,085
	Total	$334,053	$334,053

Section 2. The Controller is hereby authorized to make such transfer from funds reserved or legally available to departments to carry out the purposes required by the settlement of this litigation.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Judith A. Boyajian
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

John C. Farrell
CONTROLLER

APR 01 1987

RECOMMENDED:

Dianne Feinstein
MAYOR

lp(0896M-pg.3&4)

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
April 20, 1987	§	April 27, 1987
	§	
	§	
Ayes: Supervisors Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward	§	Ayes: Supervisors Britt Hongisto Hsieh Kennedy Maher Molinari Nelder Walker Ward
	§	
Absent: Supervisors Britt Hongisto	§	Absent: Supervisors Gonzalez Silver

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-86-91

MAY 8 1987
Date Approved

Dianne Feinstein
Mayor

FILE NO. 101-86-92

ORDINANCE NO. 151-87

RO #6755 SA #116

(Government Funding)

APPROPRIATING $48,536 FOR PROGRAM PROJECT BUDGET (URBAN DEVELOPMENT ACTION GRANT REVOLVING LOAN FUND), FOR TEMPORARY SALARIES, MANDATORY FRINGE BENEFITS, TRAVEL, TELEPHONE, POSTAGE, PRINTING, PROMOTIONAL EXPENSE AND OFFICE SUPPLIES FOR MAYOR'S OFFICE - HOUSING AND ECONOMIC DEVELOPMENT, FOR FISCAL YEAR 1986-87.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1986-87 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
02-004	Special Revenue Fund		
G.L. 495 (007567)	Use of Surplus	$48,536	
24-05-00	Mayor's Office - Housing & Economic Development		
20-2010 (323592)	Program Project Budget		
Project 100-01	Urban Development Action Grant Revolving Loan Fund		
02-0200	Temporary Salaries		$25,955
04-0600	Mandatory Fringe Benefits		581
10-1206	Travel		5,000
10-1232	Telephone		500
10-1233	Postage		1,000
10-1236	Printing		5,000
10-1280	Promotional Expense		10,000
11-1301	Office Supplies		500
	Total	$48,536	$48,536

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

[signature]
CONTROLLER

MAR 31 1987

RECOMMENDED:

[signature]
MAYOR

ac(0721P-P, 19)

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MAY 20 1987

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
April 20, 1987	§	April 27, 1987
Ayes: Supervisors Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward	§	Ayes: Supervisors Britt Hongisto Hsieh Kennedy Maher Molinari Nelder Walker Ward
Absent: Supervisors Britt Hongisto	§	Absent: Supervisors Gonzalez Silver

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Clerk

File No. 101-86-92

MAY 8 1987
Date Approved

[signature]
Mayor

FILE NO. 101-86-93

ORDINANCE NO 152-87

RO #6757 SA #118

(Government Funding)

APPROPRIATING $35,420 FOR PROGRAM PROJECT BUDGET (COMMUNITY DEVELOPMENT BLOCK GRANT REVOLVING LOAN FUND), FOR TEMPORARY SALARIES, MANDATORY FRINGE BENEFITS, TRAVEL, POSTAGE, PRINTING, PROMOTIONAL EXPENSE AND OFFICE SUPPLIES, MAYOR'S OFFICE - HOUSING & ECONOMIC DEVELOPMENT, FOR FISCAL YEAR 1986-87.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1986-87 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
02-004	Special Revenue Fund		
G.L. 495 (007567)	Use of Surplus	$35,420	
24-05-00	Mayor's Office-Housing & Economic Development		
20-2010 (323592)	Program Project Budget		
Project 003-01	Community Development Block Grant Revolving Loan Fund		
02-0200	Temporary Salaries		$25,705
04-0600	Mandatory Fringe Benefits		715
10-1206	Travel		1,000
10-1233	Postage		500
10-1236	Printing		2,000
10-1280	Promotional Expense		5,000
11-1301	Office Supplies		500
	Total	$35,420	$35,420

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

By John C Farrell
CONTROLLER

MAR 31 1987

RECOMMENDED:

MAYOR

ac(#721P-P.20)

DOCUMENTS DEPT.

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
April 20, 1987	§	April 27, 1987
Ayes: Supervisors Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward	§	Ayes: Supervisors Britt Hongisto Hsieh Kennedy Maher Molinari Nelder Walker Ward
Absent: Supervisors Britt Hongisto	§	Absent: Supervisors Gonzalez Silver

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 101-86-93

MAY 8 1987
Date Approved

Mayor

FILE NO. 101-86-94

ORDINANCE NO. 153-87

RO #6756 SA #117

(Government Funding)

APPROPRIATING $35,420 FOR PROGRAM PROJECT BUDGET (ECONOMIC DEVELOPMENT ADMINISTRATION TITLE IX REVOLVING LOAN FUND), TEMPORARY SALARIES, MANDATORY FRINGE BENEFITS, TRAVEL, POSTAGE, PRINTING, PROMOTIONAL EXPENSE AND OFFICE SUPPLIES, MAYOR'S OFFICE - HOUSING & ECONOMIC DEVELOPMENT, FOR FISCAL YEAR 1986-87.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1986-87 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
02-004	Special Revenue Fund		
G.L. 495 (007567)	Use of Surplus	$35,420	
24-05-00	Mayor's Office-Housing & Economic Development		
20-2010 (323592)	Program Project Budget		
Project 002-01	Economic Development Administration Title IX Revolving Loan Fund		
02-0200	Temporary Salaries		$25,705
04-0600	Mandatory Fringe Benefits		715
10-1206	Travel		1,000
10-1233	Postage		500
10-1236	Printing		2,000
10-1280	Promotional Expense		5,000
11-1301	Office Supplies		500
	Total	$35,420	$35,420

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

CONTROLLER

MAR 31 1987

RECOMMENDED:

MAYOR

ac(0721P-P.18)

DOCUMENTS DEPT.

MAY 20 1987

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 20, 1987	April 27, 1987
Ayes: Supervisors Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Hongisto Hsieh Kennedy Maher Molinari Nelder Walker Ward
Absent: Supervisors Britt Hongisto	Absent: Supervisors Gonzalez Silver

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 101-86-94

MAY 8 1987

Date Approved

Mayor

FILE NO. 101-86-97

ORDINANCE NO. 154-87

RO #6758 SA #134

(Government Funding)

APPROPRIATING $1,242,763 FOR PROGRAM PROJECT BUDGET (GENERAL PARKING ENFORCEMENT), TEMPORARY SALARIES, HEALTH SERVICE-CITY MATCH, MATERIAL AND SUPPLIES, EQUIPMENT AND CAPITAL IMPROVEMENT PROJECT (FEMALE LOCKER ROOM), POLICE DEPARTMENT, FOR FISCAL YEAR 1986-87.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1986-87 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
02-071	Off-Street Parking Fund		
G.L. 490	Unappropriated Revenue	$1,242,763	
02-071	Off-Street Parking Fund		
38-02-52	Police Department		
20-2010 ( )	Program Project Budget		
Project	General Parking Enforcement		
02-0200	Temporary Salaries		$1,044,000
04-0610	Health Service - City Match		26,829
22-2220	Equipment		103,764
21-2030 ( )	Capital Improvement Project		
Project	Female Locker Room Expansion		34,370
	Total	$1,242,763	$1,242,763

DOCUMENTS DEPT.
MAY 20 1987
SAN FRANCISCO
PUBLIC LIBRARY

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

[signature]
CONTROLLER APR 01 1987

RECOMMENDED:

[signature]
MAYOR

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 20, 1987	April 27, 1987
Ayes: Supervisors Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Hongisto Hsieh Kennedy Maher Molinari Nelder Walker Ward
Absent: Supervisors Britt Hongisto	Absent: Supervisors Gonzalez Silver

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Clerk

File No. 101-86-97

MAY 8 1987
Date Approved

[signature]
Mayor

Amended in Committee 4/15/87

FILE NO. 101-86-99

ORDINANCE NO. 155-87

RO #6776 SA #60

(Government Funding)

/87 h APPROPRIATING ~~$12,852~~ $9,328 FOR PERMANENT SALARIES AND RELATED MANDATORY FRINGE BENEFITS, COMMISSION ON THE STATUS OF WOMEN FOR FISCAL YEAR 1986-87.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for F/Y 1986-87 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
GL 496 (000026)	Unappropriated Revenue Reserve		
/87 h Sub (000001)	Contributed Revenue Reserve	$ 9,328 ~~$12,852~~	
48-00-00	Commission on the Status of Women		
01-0010 (390013)	Permanent Salaries		$ 8,522 ~~$ 9,956~~
04-0600	Retirement		806 ~~1,095~~
~~04-0606~~	~~Social Security~~		~~753~~
~~04-0604~~	~~Health Service~~		~~248~~
	Total	$ 9,328 ~~$12,852~~	$ 9,328 ~~$12,852~~

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

[signature] John C. Farrell
CONTROLLER

APR 13 1987

RECOMMENDED:

[signature]
MAYOR

lm(#0779P)

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
April 20, 1987	§	April 27, 1987
Ayes: Supervisors Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward	§	Ayes: Supervisors Britt Hongisto Hsieh Kennedy Maher Molinari Nelder Walker Ward
Absent: Supervisors Britt Hongisto	§	Absent: Supervisors Gonzalez Silver

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

[signature]
Clerk

File No. 101-86-99

MAY 8 1987
Date Approved

[signature]
Mayor

FILE NO. 102-86-32 ORDINANCE NO. 156-87

PUBLIC EMPLOYMENT SAL.ORD.AMEND.NO. 17

AMENDING ORDINANCE NO. 316-86 (ANNUAL SALARY ORDINANCE, 1986-87) REFLECTING THE CONSOLIDATION OF CLASS 7530 STREET CLEANER WITH CLASS 7514 GENERAL LABORER AT THE DEPARTMENT OF PUBLIC WORKS.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated items and section of Ordinance No. 316-86 (Annual Salary Ordinance, 1986-87) are hereby amended so that the same shall read as follows:

(Amendment)	No. Pos.	Class & Item No.	Class Title	Compensation Schedule
		Dept.:	90 Public Works	
		Division:	08 Street Cleaning & Landscape Maintenance	
		Section:	00 Street Cleaning & Landscape Maintenance	
		Fund:	09999 DPW Personnel Fund	
		Object:	001 Regular Misc.	
91 abolished	0	7530 A	Street Cleaner.....	$818B989
91 added	91	7514 A	General Laborer.....	899B1088

APPROVED AS TO CLASSIFICATION:
CIVIL SERVICE COMMISSION

GENERAL MANAGER, PERSONNEL

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

by: DEPUTY CITY ATTORNEY

NO. 17

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 20, 1987	April 27, 1987
Ayes: Supervisors Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Hongisto Hsieh Kennedy Maher Molinari Nelder Walker Ward
Absent: Supervisors Britt Hongisto	Absent: Supervisors Gonzalez Silver

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 102-86-32

MAY 8 1987
Date Approved

Mayor

FILE NO. 102-86-34 ORDINANCE NO. 157-87

PUBLIC EMPLOYMENT SAL.ORD.AMEND.NO. 20

AMENDING ORDINANCE NO. 316-86 (ANNUAL SALARY ORDINANCE, 1986-87) REFLECTING THE ADDITION OF ONE POSITION IN THE MUNICIPAL RAILWAY.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated items and section of Ordinance No. 316-86 (Annual Salary Ordinance, 1986-87) are hereby amended so that the same shall read as follows:

(Amendment)	No. Pos.	Class & Item No.	Class Title	Compensation Schedule
		Dept.: 35	Municipal Railway	
		Division: 01	General Manager's Office	
		Section: 00	General Manager's Office	
		Fund: 31001	Municipal Railway Operating	
		Object: 001	Regular Misc.	
1 added	1	A786 N	Deputy General Manager, Administration J,SC	$24908 2490
		Dept.: 35	Municipal Railway	
		Division: 02	Equipment Maintenance	
		Section: 00	Equipment Maintenance	
		Fund: 31001	Municipal Railway Operating	
		Object: 003	Regular Craft	
1 abolished	4	7329 A	Electronic Maint. Tech. Asst. Supv.....	$1618 B 1965
		Dept.: 35	Municipal Railway	
		Division: 03	Operations Division	
		Section: 00	Operations Division	
		Fund: 31001	Municipal Railway Operating	
		Object: 001	Regular Misc.	
1 abolished	26	9140 A	Transit Manager I	$1463 B 1773

APPROVED AS TO CLASSIFICATION:
CIVIL SERVICE COMMISSION

GENERAL MANAGER, PERSONNEL

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: DEPUTY CITY ATTORNEY

NO. 20

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 20, 1987	April 27, 1987
Ayes: Supervisors Gonzalez Hsieh Kennedy Maher Molinari Silver Walker Ward	Ayes: Supervisors Britt Hongisto Hsieh Kennedy Maher Molinari Walker Ward
Noes: Supervisor Nelder	Noes: Supervisor Nelder
Absent: Supervisors Britt Hongisto	Absent: Supervisors Gonzalez Silver

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 102-86-34

MAY 8 1987
Date Approved

Mayor

Marion O'Donnell
Civic Center Library
Attn: Government Documents

Ordinance & Resolution

FILE NO. 45-87-15

ORDINANCE NO. 158-87

RO #6769

(Settlement of Lawsuit)

AUTHORIZING SETTLEMENT OF LITIGATION OF PLAINTIFFS' COUNSEL IN COALITION FOR A HUMANE GENERAL ASSISTANCE PROGRAM, ET AL., V. CITY AND COUNTY OF SAN FRANCISCO, ET AL., FOR ~~$226,000.00~~ 199,000.00.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the attorneys' fees claim in the action entitled COALITION FOR A HUMANE GENERAL ASSISTANCE PROGRAM, ET AL., V. CITY AND COUNTY OF SAN FRANCISCO, ET AL., San Francisco Superior Court No. 763-421, by the payment of ~~$226,000.00~~ 199,000.00.

APPROVED AS TO FORM:
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

FUNDS AVAILABLE:

CONTROLLER

01 001 97 09 45
309799 1450 $226,000.00

APR 01 1987

RECOMMENDED:

SOCIAL SERVICES DEPARTMENT

ROSE LOU RANDOLPH
General Manager

APPROVED:

SOCIAL SERVICES COMMISSION

SECRETARY

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 20, 1987	April 27, 1987
Ayes: Supervisors Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Hongisto Hsieh Kennedy Maher Molinari Nelder Walker Ward
Absent: Supervisors Britt Hongisto	Absent: Supervisors Gonzalez Silver

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
45-87-15

MAY 8 1987
Date Approved

Mayor

FILE NO. 63-87-1 ORDINANCE NO. 159-87

APPROVING LEASE FOR THE OPERATION OF PARKING SERVICES AT KEZAR PARKING LOT, LOCATED IN GOLDEN GAT PARK AT STANYAN AND FREDERICK STREETS, SAN FRANCISCO, CALIFORNIA.

Be it ordained by the People of the City and County of San Francisco:

Section 1. That certain lease between the Recreation and Park Commission, for and on behalf of the City and County of San Francisco and Richard B. Stein, Sole Proprietor of the City Parking Company, for establishment and operation of Parking Services at Kezar Parking Lot, a copy of which Lease is on file in the office of the Clerk of the Board of Supervisors and to which reference is hereby made, is hereby approved.

RECOMMENDED BY:

Mary E. Burns, General Manager
Recreation and Park Department

APPROVED:

Shauna M. Rose, Secretary
Recreation and Park Commission

APPROVED AS TO FORM:

Louise Renne, City Attorney

Mara Rosales, Deputy City Attorney

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 20, 1987	April 27, 1987
Ayes: Supervisors Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Hongisto Hsieh Kennedy Maher Molinari Nelder Walker Ward
Absent: Supervisors Britt Hongisto	Absent: Supervisors Gonzalez Silver

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 63-87-1

MAY 8 1987
Date Approved

Mayor

FILE NO. 101-86-101

ORDINANCE NO. 160-87

RO #6777 SA # 143

(Government Funding)

APPROPRIATING $600,000 FOR PROGRAM PROJECT BUDGET (ECONOMIC DEVELOPMENT REVOLVING LOAN FUND), MAYOR'S OFFICE HOUSING AND ECONOMIC DEVELOPMENT, FOR FISCAL YEAR 1986-87.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1986-87 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
G.L. 491 (000026)	Unappropriated Revenue Retained		
SUB (000055)	Economic Development Reserve	$600,000	
46-4690 (892794)	Equity Transfer out to 02-004, Special Revenue Fund, 24-05-00, Mayor, Housing and Economic-Development		$600,000
	Total	$600,000	$600,000
02-004	Special Revenue Fund		
24-05-00	Mayor-Housing and Economic Development		
95-9900 (212511)	Equity Transfer-In from 01-001, General Fund; 24-05-00, Mayor-Housing and Economic-Development	$600,000	
20-2010 (323592)	Program Project Budget		
Project 001-99	Economic Development Revolving-Loan Fund		600,000
	Total	$600,000	$600,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Thomas O'Brien
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
John C. Farrell
CONTROLLER

APR 14 1987

RECOMMENDED:
Kevin Hussey
KEVIN HUSSEY, MAYOR

1p(0911M)

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MAY 20 1987
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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 4, 1987	May 11, 1987
Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Maher Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Hongisto Kennedy Maher Molinari Nelder Walker
Absent: Supervisors Hongisto Molinari	Absent: Supervisors Hsieh Silver Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-86-101

MAY 12 1987
Date Approved

Mayor

FILE NO. 109-87-3 ORDINANCE NO. 161-87

(Residential Hotel Ordinance)

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTIONS 41.3, 41.8 AND 41.16 THEREOF TO PROVIDE NEW FINDINGS REGARDING TOURIST SEASON RENTAL OF RESIDENTIAL UNITS, TO ESTABLISH A LIMIT ON THE PERCENTAGE OF RESIDENTIAL UNITS WHICH MAY BE RENTED DURING THE TOURIST SEASON TO PERSONS WHO ARE NOT PROSPECTIVE PERMANENT RESIDENTS, AND TO CREATE A HEARING PROCEDURE FOR OWNERS AND OPERATORS WHO SEEK TO EXCEED SAID LIMIT.

Note: Additions are underlined;
Deletions are indicated with
((double)) parentheses.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by amending Sections 41.3, 41.8 and 41.16 thereof to read as follows:

Sec. 41.3. Findings.

The Board of Supervisors finds that

(a) There is a severe shortage of decent, safe, sanitary and affordable rental housing in the City and County of San Francisco and this shortage affects most severely the elderly, the disabled and low-income persons.

(b) The people of the City and County of San Francisco, cognizant of the housing shortage in San Francisco, on November 4, 1980, adopted a declaration of policy to increase the City's housing supply by 20,000 units.

(c) Many of the elderly, disabled and low-income persons and households reside in residential hotel units.

(d) A study prepared by the Department of City Planning estimated that there were only 26,884 residential hotel units in the City in December of 1979, a decrease of 6098 such units from

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1975. The decrease is caused by vacation, conversion or demolition of residential hotel units. Continued vacation, conversion or demolition of residential hotel units will aggravate the existing shortage of affordable, safe and sanitary housing in the City and County of San Francisco.

(e) As a result of the removal of residential hotel units from the rental housing market, a housing emergency exists within the City and County of San Francisco for its elderly, disabled and low-income households.

(f) Residential hotel units are endangered housing resources and must be protected.

(g) The Board of Supervisors and the Mayor of the City and County of San Francisco recognized this housing emergency and enacted an ordinance which established a moratorium on the demolition or conversion of residential hotel units to any other use. The moratorium ordinance became effective on November 21, 1979.

(h) The conversion of residential hotel units affects those persons who are least able to cope with displacement in San Francisco's housing market.

(i) It is in the public interest that conversion of residential hotel units be regulated and that remedies be provided where unlawful conversion has occurred, in order to protect the resident tenants and to conserve the limited housing resources.

(j) The tourist industry is one of the major industries of the City and County of San Francisco. Tourism is essential for the economic well being of San Francisco. Therefore, it is in the public interest that a certain number of moderately priced

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tourist hotel units be maintained especially during the annual tourist season between May 1 and September 30.

(k) Tourist activity has increased steadily in San Francisco since 1983. There are currently approximately 23,000 tourist hotel units in the City and over 3,000 additional such units will be added by 1988 through new construction. However, there are presently only 19,360 residential hotel units and this number is not increasing. In addition, rents for residential hotel units have risen an average of 23% annually since 1980, making such units less and less affordable as a housing resource for the elderly, disabled and low-income persons. Since the adoption of this ordinance, hotel owners have begun to leave residential units vacant during the non-tourist season (October 1 - April 30) in order to rent these units to tourists at high daily rental rates during the tourist season (May 1 - September 30). This activity, which further reduces the available supply of low and moderate income housing in San Francisco, is not presently prohibited under this chapter. In order to assure that residential hotel owners do not continue to withold these available residential units from prospective permanent residents during the non-tourist season, it is necessary to restrict the tourist season rental of vacant residential hotel units. Such a restriction will not interfere with San Francisco's tourism, which remains essential to the economic well-being of the City.

Sec. 41.8 Administration

(a) Fees

The owner or operator shall pay the following filing fees to the Bureau of Building Inspection to cover its costs of investigating and reporting on eligibility. Fees shall be waived for an individual who files an affidavit under penalty of perjury

stating that he or she is an indigent person who cannot pay the filing fee without using money needed for the necessities of life.

(1) Statement of exemption: One hundred and twenty-five dollars ($125).

(2) Claim of exemption based on low-income housing: One hundred and twenty-five dollars ($125.00).

(3) Claim of exemption based on partially completed conversion: Two hundred and fifty dollars ($250.00).

(4) Initial Unit Usage Report: One hundred and twenty-five dollars ($125) if no challenge is filed. If a challenge is filed, the party with the adverse decision shall be assessed an additional two hundred dollars ($200.00) to reimburse the City for costs of public hearing prior to the issuance of a certificate of use as defined in Section 41.4(n).

(5) Annual Unit Usage Report: Forty dollars ($40.00) if no challenge is filed. If a challenge is filed, the party with the adverse decision shall be assessed an additional two hundred dollars ($200.00) to reimburse the City for costs of public hearing prior to the issuance of a certificate of use as defined in Section 41.4(n).

(6) Permit to convert: Two hundred dollars ($200.00).

(7) Challenge to claims of exemption, Initial Units Usage Report or Annual Unit Usage Report: Ten dollars ($10.00).

(8) Complaint of unlawful conversion: Ten dollars ($10.00).

(9) Request for hearing to exceed 25% limit on tourist season rental of residential units to persons who are not prospective permanent residents: One hundred dollars ($100.00).

(((9))) (10) Appeal of initial or annual status determination: Fifty dollars ($50.00). The party with the

adverse decision shall be assessed an additional two hundred dollars ($200.00) to reimburse the City for costs of public hearing prior to the issuance of a certificate of use as defined in Section 41.4(n).

(((10))) (11) Determination by Department of Real Estate: Seven hundred and fifty dollars ($750.00) and the actual amount necessary to reimburse the Department for obtaining independent appraisals.

(b) Hearing

(1) Notice of Hearing

Whenever a hearing is required or requested in this Chapter, the Superintendent of the Bureau of Building Inspection shall within forty five (45) calendar days notify the owner or operator of the date, time, place and nature of the hearing by registered or certified mail. The Superintendent of the Bureau of Building Inspection shall appoint a hearing officer. Notice of such a hearing shall be posted by the Bureau of Building Inspection. The owner or operator shall state under oath at the hearing that the notice remained posted for at least ten (10) calendar days prior to the hearing. Said notice shall state that all permanent residents residing in the hotel may appear and testify at the public hearing, provided that the Bureau of Building Inspection is notified of such an intent 72 hours prior to the hearing date.

(2) Hearing Procedure

If more than one hearing for the same hotel is required, the Superintendent of the Bureau of Building Inspection shall consolidate all of the appeals and challenges into one hearing; however, if a civil action has

been filed pursuant to the provisions of Section 41.16(d) of this Chapter, all hearings on administrative complaints of unlawful conversions involving the same hotel shall be abated until such time as final judgment has been entered in the civil action; an interested party may file a complaint in intervention. The hearing shall be tape recorded. Any party to the appeal may, at his/her own expense, cause the hearing to be recorded by a certified court reporter. The hearing officer is empowered to issue subpoenas upon application of the parties three (3) calendar days prior to the date of the hearing. During the hearing, evidence and testimony may be presented to the hearing officer. Parties to the hearing may be represented by counsel and have the right to cross-examine witnesses. All testimony shall be given under oath. Written decision and findings shall be rendered by the hearing officer within twenty (20) working days of the hearing. Copies of the findings and decision shall be served upon the parties to the hearing by registered or certified mail. A notice that a copy of the findings and decision is available for inspection between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday shall be posted by the owner or operator.

(3) Special Requirements for Hearings on Tourist Season Rental of Residential Units.

Where an owner or operator seeks a hearing in order to exceed the limit on tourist season rental of vacant residential units pursuant to Section 41.16(a)(3)(B), the requirements of 41.8(b)(1) and (b)(2) above shall be applicable except as specifically modified or enlarged herein:

A. Notice of Hearing.

Notice of hearing as provided in Section 41.8(b)(1) above shall be given within fifteen (15) calendar days. The notice requirements for the owner or operator shall also be applicable to any interested party who has submitted a prior written request to the Superintendent to be notified of such hearings.

B. Time of Hearing.

The hearing shall be held within thirty (30) days of the submission of the owner or operator's written request for hearing.

C. Burden of Proof.

Burden of proof is on the owner or operator.

D. Interested Party.

Any interested party shall be deemed a "party to the hearing" for purposes of Section 41.8(b)(1).

E. Determination of the Hearing Officer.

Based upon the evidence presented at the hearing, conducted in accordance with Section 41.8(b)(2) above, the hearing officer shall make findings as to whether the owner or operator made good faith efforts to rent vacant residential units to prospective permanent residents at no more than fair market value during the tourist season and yet was unable to secure such rentals. Good faith efforts shall include but not be limited to advertising the availability of residential units to the public. In determining fair market value of the residential units, the hearing officer shall consider any data on comparable rentals. Evidence of comparability may include room size, services, and location of hotel.

F. Decision.

The hearing officer shall render a written decision and findings within ten (10) working days of the hearing.

G. Effect of Decision.

The hearing officer's decision shall remain in effect for the tourist season for which the owner or operator requested the hearing. If the owner or operator wishes to exceed the 25% limit during any subsequent tourist season, a new written request for hearing must be submitted to the Superintendent of the Bureau of Building Inspection.

H. Construction.

The purpose of Section 41.8(b)(3) is to supplement or modify provisions of Sections 41.8(b)(1) and (b)(2). Unless otherwise specifically modified, all provisions of Sections 41.8(b)(1) and (b)(2) are deemed applicable to hearings concerning the tourist season limitation on rental of vacant residential units.

(4) (((3))) Judicial Review

The decision of the hearing officer shall be final unless judicial review pursuant to Section 1094.5 of the Code of Civil Procedure is filed with a court of competent jurisdiction within thirty (30) calendar days of the issuance of the written decision.

(c) Inspection

The Superintendent of the Bureau of Building Inspection shall conduct from time to time on-site inspections of the daily logs and other supporting documents to determine if the provisions of this Chapter have been complied with. In addition, the Superintendent of the Bureau of Building Inspection or his designee shall conduct such an inspection or his designee shall conduct such an inspection as soon as practicable upon the request of a permanent resident of the hotel. If upon such an inspection, the Superintendent or his designee determines that an apparent violation of the provisions of this Chapter has

occurred, he shall post a notice of apparent violation informing the permanent residents of the hotel thereof. This notice shall remain posted until the Superintendent of the Bureau of Building Inspection, or his designee, determines that the hotel is no longer in violation of the provisions of this Chapter.

(d) The Superintendent of the Bureau of Building Inspection may impose a penalty of two hundred and fifty dollars ($250.00) per violation for failure to maintain daily logs as required under Section 41.6(h) above and for failure to post materials as required under Sections 41.6(b),(c),(d),(f) and (i), 41.7(a)(3), 41.7(e), 41.7(f), 41.8(b)(2), 41.9(b)(10), and 41.15(b) and (c). In order to impose such penalties, the Superintendent shall notify both the owner and operator by certified mail that he is imposing the penalty or penalties, which must be paid within thirty (30) days of the mailing of the notification. The written notification shall state that if the penalty is not paid, a lien to secure the amount of the penalty will be recorded against the real property pursuant to the provisions of Section 41.16(d) of this Chapter.

(e) Costs of Enforcement

The proceeds from the filing fees and civil fines assessed shall be used exclusively to cover the costs of investigation and enforcement of this ordinance by the City and County of San Francisco. The Superintendent of the Bureau of Building Inspection shall annually report these costs to the Board of Supervisors and recommend adjustments thereof.

(f) Inspection of Records

The Bureau of Building Inspection shall maintain a file for each residential hotel which shall contain copies of all applications, exemptions, permits, reports and decisions filed

pursuant to the provisions of this Chapter. All documents maintained in said files, except for all tax returns and documents specifically exempted from the California Public Record Act, shall be made available for public inspection and copying.

(g) Promulgation of Rules and Regulations

The Superintendent of the Bureau of Building Inspection shall propose rules and regulations governing the appointment of an administrative officer and the administration and enforcement of this Chapter. After reasonable notice and opportunity to submit written comment are given, final rules and regulations shall be promulgated.

Section 41.16. Unlawful Conversion; Remedies; Fines.

(a) Unlawful Actions

It shall be unlawful to:

(1) Change the use of, or to eliminate a residential hotel unit or to demolish a residential hotel unit except pursuant to an lawful abatement order, without first obtaining a permit to convert in accordance with the provisions of this Chapter.

(2) Rent any residential unit for a daily term of tenancy unless specifically provided for in subsection (3) below.

(3) Offer for rent for non-residential use or tourist use a residential unit except as follows:

(A) A tourist unit may be rented to a permanent resident without changing the legal status of that unit as a tourist unit upon voluntary vacation of that unit by the permanent resident or upon eviction for cause;

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(B) A residential unit which is vacant at any time during the period commencing on May 1 and ending on September 30 annually may be rented as a tourist unit, provided that the residential unit was vacant due to voluntary vacation of a permanent resident or was vacant due to lawful eviction for cause after the tenant was accorded all the rights guaranteed by State and local laws during his/her tenancy, and further provided that that residential hotel unit shall immediately revert to residential use on application of a prospective permanent resident.

25% Limit.

However, at no time during the tourist season may an owner or operator rent for non-residential use or tourist use more than 25% of the hotel's total residential units unless the owner or operator can demonstrate that good faith efforts were made to rent such units to prospective permanent residents and that such efforts failed. Owners or operators who seek to exceed this limit must request a hearing pursuant to Section 41.8(b) above.

(b) Hearing Standards to be Applied

Upon the filing of a complaint by an interested party that an unlawful conversion has occurred and payment of the required fee, the Superintendent at the Bureau of Building Inspection shall schedule a hearing pursuant to the provisions of Section 41.8(b). The Complainant shall bear the burden of proving that a unit has been unlawfully converted. The hearing officer shall consider, among others, the following factors in determining whether conversion has occurred:

(1) Shortening of the term of an existing tenancy without the prior approval of the permanent resident:

(2) Reduction of the basic services provided to a residential hotel unit intended to lead to conversion. For the purpose of this section, basic services are defined as access to common areas and facilities, food service, housekeeping services and security;

(3) Repeated failure to comply with order of the Bureau of Building Inspection or the Department of Public Health to correct code violations with intent to cause the permanent residents to voluntarily vacate the premises;

(4) Repeated citations by the Superintendent of the Bureau of Building Inspection or the Department of Public Health of code violations;

(5) Offer of the residential units for non-residential use or tourist use except as provided in this Chapter; and

(6) Eviction or attempt to evict a permanent resident from a residential hotel on grounds other than those specified in Sections 37.9(a)(1) through 37.9(a)(8) of the San Francisco Administrative Code except where a permit to convert has been issued.

(7) Repeated posting by the Superintendent of the Bureau of Building Inspection of notices of apparent violations of this Chapter pursuant to Section 41.8(c) above.

(c) Civil Penalties

Where the hearing officer finds that an unlawful conversion has occurred, a civil penalty of three (3) times the daily rate per day for each unlawfully converted unit from the

day the complaint is filed until such time as the living unit reverts to its authorized use, not to exceed the total sum of Five Thousand Dollars ($5,000.00) shall be imposed by the Superintendent. The hearing officer's decision shall notify the parties of this penalty provision and shall state that the Superintendent of the Bureau of Building Inspection is authorized to impose the appropriate penalty by written notification to both the owner and operator, requesting payment within thirty (30) days. If the penalty imposed is not paid, a lien to secure the amount of the penalty will be recorded against the real property pursuant to the provisions of Section 41.16(d) of this Chapter.

(d) Lien Proceedings

1. Preparation of Delinquency Report.

If any penalty imposed pursuant to sections 41.7(d), 41.7(e), 41.8(d) or 41.16(c) is not received within the required time period, the Superintendent of the Bureau of Building Inspection shall initiate proceedings to make the penalty, plus accrued interest, a special assessment lien against the real property regulated under this chapter. The Superintendent shall prepare a delinquency report for the Board of Supervisors. For each delinquent account, the report shall contain the owner's name, the amount due, including interest, and a description of the real property. The report shall also indicate which of the delinquent accounts should be exempted from the lien procedure because of the small amounts involved, or because another debt collection procedure is more appropriate. The descriptions of the parcels shall be those used for the same parcels on the Assessor's map books for the current year.

2. Notice. Five (5) days prior to forwarding the delinquency report to the Board of Supervisors, the

Superintendent shall mail a copy of the report to each affected owner and shall post the report at the affected properties. Upon receipt of the report, the Board of Supervisors shall fix a time, date and place for hearing the report and any protest or objections thereto, and shall mail notice of the hearing to each owner of real property described in the report not less than ten (10) days prior to the date of hearing.

3. Hearing and Confirmation. The Board of Supervisors shall hear the report with opportunity for any protests or objections of the owners of the real property liable to be assessed for delinquent accounts. The Board may make such revisions, corrections or modifications of the report as it may deem just, after which, by motion or resolution, it shall be confirmed. The Board's decision on the report and on all protests or objections thereto shall be final and conclusive; provided, however, that any delinquent account may be removed from the report by payment in full at any time prior to confirmation of the report. The Clerk of the Board shall cause the confirmed report to be verified in form sufficient to meet recording requirements.

4. Collection of Assessment. Upon confirmation of the report by the Board, the delinquent charges contained therein shall constitute a special assessment against the property listed in the report. Each such assessment shall be subordinate to all existing special liens previously imposed upon such property and paramount to all other liens except those for state, county and municipal taxes with which it shall be in parity. The lien shall continue until the assessment and all interest due and payable thereon are paid. All laws applicable to the levy, collection

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and enforcment of municipal taxes shall be applicable to said special assessment.

5. Recordation; Charges. The Clerk of the Board shall cause the confirmed and verified report to be recorded in the County Recorder's office within ten (10) days of its confirmation. The special assessment lien on each parcel of property described in said report shall carry additional charges for administrative expenses of $100 or 10 percent of the amount of the unpaid balance, including interest, whichever is higher.

6. Filing with Controller and Tax Collector; Distribution of Proceeds. After the report is recorded, the Clerk of the Board shall file a certified copy with the Controller and Tax Collector, whereupon it shall be the duty of said officers to add the amount of said assessment to the next regular bill for taxes levied against said parcel or parcels of land for municipal purposes, and thereafter said amount shall be collected at the same time and in the same manner as ordinary City and County taxes are collected, and shall be subject to the same penalties and the same procedure under foreclosure and sale in case of delinquency as provided for property taxes of the City and County of San Francisco. Except for the release of lien recording fee authorized in subsection (7) below, all sums collected by the Tax Collector pursuant to this section shall be held in trust by the Treasurer and distributed as provided in Section 41.8(e) of this Chapter.

7. Release of Lien; Recording Fee. Upon payment to the Tax Collector of the special assessment, the Tax Collector shall cause a Release of Lien to be recorded with the County Recorder, and from the sum collected pursuant to subsection (6) above, shall pay to the County Recorder a recording fee of $6.00.

(e) Civil Action

A permanent resident injured by any action unlawful under this Chapter may institute a civil proceeding for injunctive relief and damages. The Superintendent of the Bureau of Building Inspection may institute a civil proceeding for injunctive relief. Counsel for the permanent resident shall notify the City Attorney's Office of the City and County of San Francisco of any action filed pursuant to this section. In determining whether an unlawful conversion has occurred, the court may consider, among other factors, those enumerated in Section 41.16(b) of this Chapter.

APPROVED AS TO FORM:

Deputy City Attorney

3833j

4/20/87

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 4, 1987	May 11, 1987
Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Hongisto Kennedy Maher Molinari Nelder Walker
Absent: Supervisors Hongisto	Absent: Supervisors Hsieh Silver Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
109-87-3

MAY 14 1987
Date Approved

Dianne Feinstein
Mayor

Amendment of the Whole 5/04/87.

FILE NO. 431-86-3

ORDINANCE NO. 162-87

[Pedestrian Mall]

CLOSING COMMERCIAL STREET BETWEEN SANSOME STREET AND BATTERY STREET TO VEHICULAR TRAFFIC AND ACCEPTING QUITCLAIM DEEDS FROM ABUTTING OWNERS FOR VEHICULAR ACCESS TO THEIR PROPERTY, AND ESTABLISHING A PEDESTRIAN MALL ON COMMERCIAL STREET BETWEEN SANSOME AND BATTERY STREETS.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Board of Supervisors of the City and County of San Francisco, by its Resolution No. 991-86 adopted November 24, 1986, declared as a matter of policy that it is the intention of the Board of Supervisors to close Commercial Street between the easterly line of Sansome Street and the westerly line of Battery Street to vehicular traffic. The Board of Supervisors by its Resolution No. 328-87, adopted on May 4, 1987, prior to the passage by the Board for second reading of this Ordinance, confirmed its intention to close such portion of Commercial Street to vehicular traffic; the findings set forth in said Resolution that his Board has reviewed and considered the information contained in the Final Environmental Impact Report identified therein and that this Board finds that the conversion of Commercial Street to a pedestrian mall as described therein will have no significant effects on the environment and is consistent with the Priority Policies established in Section 101.1(b) of the Planning Code are hereby incorporated by this reference and made a part hereof as if set forth in full.

Section 2. The closing of said portion of Commercial Street to vehicular traffic will not unduly inconvenience vehicular travel.

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Section 3. The Department of City Planning reported July 28, 1986, that the proposed closing of said portion of Commercial Street to vehicular traffic is in conformity with the Master Plan.

Section 4. The public interest, convenience, and necessity require the construction of the Commercial Street Pedestrian Mall.

Section 5. The costs and expenses for the establishment, improvement, and beautification of said mall area shall be paid for by Embarcadero Center West, and the construction of the proposed improvements will enhance and beautify the surrounding areas.

Section 6. The abutting property owners that will be affected by the closing of said portion of Commercial Street to vehicular traffic have consented to said closing and have executed quitclaim deeds to the City for vehicular access to their property.

Section 7. One Embarcadero Center West shall construct at its cost and expense a new garage entrance off of Clay Street for the building located on the east side of Sansome Street between Commercial and Clay Streets to replace the present garage entrance off of Commercial Street for that building. Until such time as the new garage entrance is open for use, Commercial Street shall either (1) remain open to one-way vehicular traffic from Battery Street so long as construction work for the pedestrian mall and other improvements on Commercial Street do not unreasonably impede vehicular access to said existing garage entrance or (2) be open to two-way vehicular traffic from Sansome Street up to said existing garage entrance.

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Section 8. The portion of Commercial Street between Sansome Street and Battery Street be and it is hereby closed to all vehicular traffic as of July 15, 1987 except for emergency vehicles and except as provided in Section 7; and in accordance with the provisions of the Pedestrian Mall Law of 1960, a pedestrian mall is hereby established on Commercial Street between Sansome Street and Battery Street.

Section 9. The Director of Property is authorized to accept the quitclaim deeds from the abutting owners for vehicular access to their property.

Section 10. The Clerk of the Board is directed to transmit to the Department of Public Works a certified copy of this ordinance and the Department of Public Works is hereby directed to give notice of the establishment of the pedestrian mall and the prohibition of vehicular traffic related thereto in the manner required by law.

RECOMMENDED:

Director of Public Works

DESCRIPTION APPROVED:

City Engineer

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Deputy City Attorney

APPROVED:

Chief Administrative Officer

6755F-04-30-87

Board of Supervisors, San Francisco

Passed for Second Reading

May 4, 1987

Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Maher Molinari Ward Nelder Silver Walker

Noes: Supervisors Hongisto

Finally Passed

May 11, 1987

Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Maher Molinari Ward Nelder Silver Walker

Noes: Supervisors Hongisto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
431-86-3

MAY 14 1987
Date Approved

Mayor

BOARD OF SUPERVISORS

FILE NO. 115-87-3.1 ORDINANCE NO. 163-87

(City Hall Alteration)

AMENDING PART II, CHAPTER II OF THE SAN FRANCISCO MUNICIPAL CODE (CITY PLANNING CODE) BY AMENDING SECTION 1006.8 GOVERNING APPROVALS OF CERTIFICATES OF APPROPRIATENESS FOR CITY HALL ALTERATIONS.

Note: Additions are underlined

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter II of the San Francisco Municipal Code (City Planning Code) is hereby amended by amending Section 1006.8 to read as follows:

SEC. 1006.8. APPEALS FROM PLANNING COMMISSION DECISION.(a) Right of Appeal. The action of the Planning Commission in approving or disapproving in whole or in part an application for a Certificate of Appropriateness shall be subject to appeal to the Board of Supervisors in accordance with this Section. An action of the Commission so appealed from shall not become effective unless and until approved by the Board of Supervisors in accordance with this Section. Nothing in this Section shall be construed to authorize the appeal of any decision under Section 1006.6 of this Article 10 to suspend action on an application.

(b) Notice of Appeal. Any appeal under this section shall be taken by filing written notice of appeal with the Board of Supervisors within 30 days after the date of action by the Planning Commission. In the case of a historic district, the notice of appeal shall be subscribed by the owners of at least 20 percent of the property affected by the proposed Certificate of Appropriateness; for the purposes of this calculation, the property affected shall be deemed to be all property within the historic district. In the case of a landmark not in a historic district, the notice of appeal shall be subscribed by the property owner, or by any governmental body or agency, or by an organization with a recognized interest in historical preservation.

(c) Hearing. Upon the filing of such written notice of appeal so subscribed, the board of Supervisors or the Clerk thereof shall set a time and place for hearing such appeal, which shall be not less than 10 nor more than 30 days after such filing. The Board of Supervisors must decide such appeal within 30 days of the time set for the hearing thereon; provided that, if the full membership of the Board is not present on the last day on which said appeal is set or continued for hearing within said period, the Board may postpone said hearing and decision thereon until, but not later than, the full membership of the Board is present; provided, further, that the latest date to which said hearing and decision may be so postponed shall be not more than 90 days from the date of filing of the appeal. Failure of the Board of Supervisors to act within such time limit shall be deemed to constitute approval by the Board of the action of the Planning Commission.

(d) Decision. In acting upon any such appeal, the Board of Supervisors may disapprove the action of the Planning Commission only by a vote of not less than 2/3 of all members of the Board.

(e) Decisions Affecting City Hall. The provisions of this subsection shall govern decisions by the City Planning Commission on a Certificate of Appropriateness for alteration work to be done at City Hall, in lieu of any other provision set forth above. Upon the approval or disapproval by the City Planning

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Commission of a Certificate of Appropriateness for alteration of City Hall, the Secretary of the City Planning Commission shall transmit to the Clerk of the Board of Supervisors written notification of the Commission's decision. The Clerk shall set a time and place for hearing on the decision, which shall be not less than 10 nor more than 30 days after receipt of such notification. The Board of Supervisors may either approve, disapprove, or modify the Commission's decision by majority vote. The Board of Supervisors must take this action within 30 days of the time set for the hearing thereon, provided that, if the full membership of the Board is not present on the last day on which said hearing is set or continued within said period, the Board may postpone said hearing and decision thereon until, but not later than, the full membership of the Board is present; provided, further, that the latest date to which said hearing and decision may be so postponed shall be not more than 90 days from the date of the receipt of written notification. Failure of the Board of Supervisors to act within such time limit shall be deemed to constitute approval by the Board of the action of the City Planning Commission.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

Deputy City Attorney

3221j

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 4, 1987	May 11, 1987
Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward	Ayes: Supervisors Britt Gonzalez Hongisto Kennedy Maher Molinari Nelder Walker
Absent: Supervisors Hongisto	Absent: Supervisors Hsieh Silver Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
115-87-3.1

MAY 14 1987
Date Approved

Mayor

AMENDMENT OF THE WHOLE as presented and amended in Committee 4/16/87.

FILE NO. 124-87-2

ORDINANCE NO. 164-87

[Parking Permits]

AMENDING ARTICLE 15, PART II, CHAPTER XI (TRAFFIC CODE) SAN FRANCISCO MUNICIPAL CODE, BY AMENDING SECTION 308 THEREOF, CLARIFYING REQUIREMENTS FOR ISSUANCE OF PARKING PERMITS IN A RESIDENTIAL PERMIT PARKING AREA, ISSUANCE OF PERMITS FOR CERTAIN LEASED VEHICLES, PROVIDING FOR SPECIAL 30 DAY TEMPORARY PERMITS AND PROVIDING FOR SPECIAL STUDENT PERMITS.

Note: Additions or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter XI (Traffic Code), San Francisco Municipal Code, is hereby amended by amending Section 308 thereof, to read as follows:

SEC. 308. Issuance of Permits.

(a) Parking permits shall be issued by the Tax Collector. Each such permit shall be designed by the Tax Collector to state or reflect thereon the particular residential permit parking area as well as the license number of the motor vehicle for which it is issued. No more than one parking permit shall be issued to each motor vehicle for which application is made. The Tax Collector shall issue such rules and regulations, not inconsistent with this article, governing the manner in which permits shall qualify for parking permits;

(b) Parking permits may be issued for motor vehicles only upon application of the following persons:

(1) A legal resident of the residential permit parking area who has a motor vehicle which is both registered in his or her name and registered at his or her address within that residential permit parking area, or a legal resident of the residential permit parking area who has a motor vehicle for his or her exclusive use and under his or her control where said motor vehicle is registered to his or her employer and he or she presents a valid employee identification card or other proof of employment that is acceptable to the Tax Collector. ((provided said motor vehicle is registered to at a San Francisco address.))

(2) A legal resident of the residential permit parking area who has a motor vehicle registered to a vehicle leasing company and leased to the resident's employer, providing said vehicle is for the resident's exclusive use and provides proof of the lease agreement which is acceptable to the Tax Collector and show that the vehicle is registered in compliance with California Vehicle Code Section 6853.

4/16/87 e

(((2))) (3) A person who owns or leases commercial property and actively engages in business activity within a residential permit parking area. However, no more than one parking permit may be issued for each business establishment for a motor vehicle registered to or under the control of such a person.

(((3))) (4) A legal resident of the residential permit parking area for display upon a rented motor vehicle, provided that no such permit shall be valid for more than ((seven (7))) fourteen (14) days from the date of issuance or renewal thereof;

(((4))) (5) A legal resident of a residential permit parking area for use by bona fide transient visitors therein. Such a visitor permit shall have all the rights and privileges of a regular permit. A visitor permit shall be valid for no more than fourteen (14) days from the date if issuance. No resident of a residential permit parking area shall be issued more than one visitor permit at any one time.

/ / /

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(6) The Tax Collector may issue a temporary permit valid for a minimum of fourteen days and a maximum of ~~30 days~~ 4 weeks, on a one-time basis, for a legal resident of the residential permit parking area upon proof said resident has not resided within that residential permit parking area during the immediate previous thirty days.

(7) A full time student who is a legal resident of the residential permit parking area who presents a valid current full time student identification card issued by an educational institution located within the City, or other proof of such full time student status acceptable to the Tax Collector, and who provides proof that there is a current California motor vehicle registration for the vehicle.

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By: _____
Deputy City Attorney

6872F/04-08-87(4992F)

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 27, 1987	May 4, 1987
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Maher Molinari Walker Ward	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Maher Molinari Nelder Silver Walker Ward
Absent: Supervisors Nelder Silver	Absent: Supervisors Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
124-87-2

MAY 14 1987
Date Approved

_____
Mayor

FILE NO. 124-87-1 ORDINANCE NO. 165-87

(Traffic Regulation)

AMENDING THE SAN FRANCISCO MUNICIPAL CODE (TRAFFIC CODE) BY ADDING SECTION 175.30 ESTABLISHING A SPEED LIMIT ON Oakdale Avenue between Bayshore Boulevard and 3rd Street.

Note: Additions are not underlined.
The section added is entirely additional

Be it Ordained by the People of the City and County of San Francisco

Section 1. The San Francisco Municipal Code (Traffic Code) is hereby amended by adding Section 175.30 to read as follows:

SECTION 175.30. A prima facie speed limit of 30 miles per hour is hereby established on Oakdale Avenue between Bayshore Boulevard and 3rd Street.

APPROVED AS TO FORM:

LOUISE RENNE, CITY ATTORNEY

By _____
Deputy City Attorney

DESCRIPTION APPROVED:

Scott R. Shoaf
Deputy Director for Operations

RECOMMENDED:

Director of Public Works
and Clean Water Program

APPROVED:

Chief Administrative Officer

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 27, 1987	May 4, 1987
Ayes: Supervisors Britt Hsieh Kennedy Maher Molinari Nelder Walker Ward	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Maher Molinari Nelder Silver Walker Ward
Absent: Supervisors Gonzalez Silver Hongisto	Absent: Supervisors Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No. 124-87-1

MAY 14 1987
Date Approved

Mayor

FILE NO. 123-87-3 ORDINANCE NO. 166-87

(Street Occupancy Permits)

ORDINANCE AMENDING PART II, CHAPTER X, ARTICLE 15 OF THE SAN FRANCISCO MUNICIPAL CODE (PUBLIC WORKS CODE) BY AMENDING SECTIONS 724.5 AND 724.7 THEREOF, TO INCREASE APPLICABLE PENALTY FEES, AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO ISSUE ADDITIONAL TEMPORARY STREET OCCUPANCY PERMITS FOR LESS THAN THREE MONTHS WITHOUT BOARD APPROVAL, AND REQUIRE A DEPOSIT FOR THE COSTS OF INSPECTION.

NOTE: Additions or substitutions are indicated by underlining; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco that:

Section 1. Part II, Chapter X, Article 15 of the San Francisco Municipal Code (Public Works Code) is hereby amended, by amending Section 724.5 thereto, to read as follows:

SEC. 724.5. EXCEEDING PERMISSIBLE USE - PENALTY FEE.

If the Director of Public Works determines that the permittee has exceeded the scope of the temporary street occupancy permit either in terms of duration or area, the Director of Public Works shall order the permittee to correct the violation within a specified time period. Should the violation not be corrected as ordered, the permittee shall pay a penalty fee of one thousand dollars ($1,000.00) ((one hundred dollars ($100.00))) per day for each day of violation ((, which amount shall be deducted from the deposit described above)). Failure to pay any fee assessed under these provisions shall constitute good cause for immediate revocation of the temporary street occupancy permit, and the project property shall be subject to a lien in the same amount.

Section 2. Part II, Chapter X, Article 15 of the San Francisco Municipal Code (Public Works Code) is hereby amended, by amending Section 724.7 thereto, to read as follows:

SEC. 724.7. TEMPORARY OCCUPANCY OF STREET - ADDITIONAL PERMIT REQUIRED.

(a) Any person seeking to close off more than one-third of the roadway width and more than one-half of the sidewalk width must apply for an additional temporary street occupancy permit as provided for herein. No revocable permit for an additional temporary street occupancy permit for more than 3 months, as authorized by resolution of the Board of Supervisors, shall be issued unless an application therefore is made to the Director of Public Works, and a fee in an amount to be established as hereinafter provided shall have been paid; provided, nowever, that the Board of Supervisors may waive payment of the fee provided for herein if it finds that a benefit will accrue to the public from the issuance of the permit. The content of application shall be in accordance with the policies, rules and regulations of the Director of Public Works. All applications shall be on forms prescribed therefore and shall contain or be accompanied by all information required to assure the presentation of pertinent facts for proper consideration of the case. The application shall include both a reasonable estimate

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
April 27, 1987	§	May 4, 1987
	§	
	§	
Ayes: Supervisors Britt Hongisto Hsieh Kennedy Maher Molinari Nelder Walker Ward	§	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Maher Molinari Nelder Silver Walker Ward
	§	
Absent: Supervisors Gonzalez Silver	§	Absent: Supervisors Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
123-87-3

MAY 1 4 1987
Date Approved

Mayor

of the duration of construction, and an explanation of why an additional temporary street occupancy permit of the particular dimensions requested is necessary and shall be accompanied by a non-refundable additional permit application fee in an amount determined by the Director but in any case not more than five hundred dollars ($500.00).

(b) No additional temporary street occupancy permit shall have a term of more than one year from the date of issuance. At the end of the original term or of any subsequent extension, the permittee may apply to the Director of Public Works for an extension not to exceed one year in duration. The Director of Public Works may, for good reason shown, deny the request for an extension. Said denial will be appealable to the Board of Supervisors.

(c) The Director of Public Works is hereby authorized to issue additional temporary street occupancy permits for periods of less than 3 months, and may grant a single three-month extension for the same.

(d) (((c))) All provisions of Sections 724, 724.1, 724.2, 724.3, 724.5 and 724.6 shall be applicable to permits granted under this section.

(e) Any person applying for a permit under this section shall also deposit with the Director of Public Works an amount sufficient to cover the costs of inspection as estimated by the Director, which sum shall be paid into the Special Engineering Inspection Fund.

///

///

FILE NO. 123-87-1 ORDINANCE NO. 167-87

[Street Occupancy Permit]

AMENDING PART II, CHAPTER X, ARTICLE 15 OF THE SAN FRANCISCO MUNICIPAL CODE (PUBLIC WORKS CODE) BY AMENDING SECTION 724.1 THEREOF, PERMITTING WAIVER OF FEE CHARGED TO A NONPROFIT CORPORATION DEVELOPING LOW AND MODERATE INCOME HOUSING.

Note: Additions or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Amending Part II, Chapter X, Article 15 of the San Francisco Municipal Code (Public Works Code) by amending Section 724.1 thereof to read as follows:

SEC. 724.1. TEMPORARY OCCUPANCY OF STREET -- FEES TO BE PAID. No permit shall be issued for the temporary occupancy of the street for building operations unless a fee shall have been paid, equal to one-tenth of one percent of the total estimated costs of the proposed construction, with a minimum fee of thirty dollars ($30.00). For temporary occupancy for any purpose other than a building operation, the fee shall be thirty dollars ($30.00). Nonprofit organizations with tax exempt status under the Internal Revenue Code shall be exempt from payment of the fee where the street occupancy is necessary for the development of low and moderate income housing as defined by the United States Department of Housing and Urban Development.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: _____
Deputy City Attorney

7962F

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
April 27, 1987	May 4, 1987
Ayes: Supervisors Britt Hongisto Hsieh Kennedy Maher Molinari Nelder Walker Ward	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Maher Molinari Nelder Silver Walker Ward
Absent: Supervisors Gonzalez Silver	Absent: Supervisors Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No. 123-87-1

MAY 14 1987
Date Approved

_____
Mayor

FILE NO. 115-86-25 ORDINANCE NO. 168-87

[Sign]

AMENDING PART II, CHAPTER I OF THE SAN FRANCISCO MUNICIPAL CODE (BUILDING CODE) BY ADDING SECTION 4607 THERETO TO REQUIRE REMOVAL OF BUSINESS SIGNS UPON TERMINATION OF BUSINESS.

Note: Entire section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter I of the San Francisco Municipal Code (Building Code) is hereby amended by adding Section 4607 thereto to read as follows:

Section 4607. REMOVAL OF BUSINESS SIGNS.

(a) For the purposes of this section:

(1) A "sign" is any structure, part thereof, or device or inscription which is located upon, attached to, or painted, projected or represented on the exterior of any building or structure, including an awning, canopy, marquee or similar appendage, or affixed to the glass on the outside or inside of a window so as to be seen from the outside of the building, and which displays or includes any numeral, letter, word, model, banner, emblem, insignia, symbol, device, light, trademark, or other representation used as, or in the nature of, an announcement, advertisement, or designation by or of any person, firm, group, organization, place, commodity, product, service, business, profession, enterprise or industry. A sign includes the supports, uprights and framework of the display.

(2) A "business sign" is a sign which directs attention to a business, commodity, service, industry or other activity which is sold, offered, or conducted on the premises upon which such sign is located, or to which it is affixed.

(3) "Person" shall include a person, firm, partnership, association, trustee or corporation.

(b) It shall be unlawful for any person to allow any business sign to remain posted more than 90 days after the activity for which the business sign has been posted has ceased operation on the premises if such person (1) owns, leases, or rents the property on which the sign is posted or (2) owns or operates such business, service, industry or other activity.

(c) Any person violating the provisions of this section shall be deemed guilty of an infraction, and upon conviction shall be fined not less than $50 nor more than $500. Each day such violation is committed, or permitted to continue, shall constitute a separate offense and shall be punishable as such hereunder.

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
April 27, 1987	§	May 4, 1987
Ayes: Supervisors Britt Hongisto Hsieh Kennedy Maher Molinari Nelder Walker Ward	§	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Maher Molinari Nelder Silver Walker Ward
Absent: Supervisors Gonzalez Silver	§	Absent: Supervisors Kennedy

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I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 115-86-25

MAY 14 1987
Date Approved

Mayor

FILE NO. 121-87-5 ORDINANCE NO. 169-87

[Street and Sidewalk Obstructions]

AMENDING PART II, CHAPTER VIII OF THE SAN FRANCISCO MUNICIPAL CODE (POLICE CODE) BY AMENDING SECTION 63 THEREOF, RELATING TO STREET AND SIDEWALK OBSTRUCTIONS.

Note: Additions or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter VIII of the San Francisco Municipal Code (Police Code) is hereby amended by amending Section 63 thereof, to read as follows:

SEC. 63. Obstruction on Streets and Sidewalks.

(a) It shall be unlawful for any person, firm or corporation, occupying or having charge or control of any premises, to place, or cause to be placed, or suffer to remain upon the sidewalk, or upon the half of the street in front of such premises, any article or substance which shall obstruct the passage of such street or sidewalk ((for more than one hour per day)).

(b) It shall be unlawful for any person, firm or corporation to enter into a lease, rental agreement or contract of any kind, written or oral, with or without compensation, for the use of any street or sidewalk.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: _____
Deputy City Attorney

7481F

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
April 27, 1987	§	May 4, 1987
Ayes: Supervisors Britt Hongisto Hsieh Kennedy Maher Molinari Nelder Walker Ward	§	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Maher Molinari Nelder Silver Walker Ward
Absent: Supervisors Gonzalez Silver	§	Absent: Supervisors Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No. 121-87-5

MAY 14 1987
Date Approved

_____
Mayor

FILE NO. 97-87-23 ORDINANCE NO. 170-87

[Membership in Certain Organizations-City Attorney]

AMENDING CHAPTER 16, ARTICLE I OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 16.6-4 RELATING TO THE CITY ATTORNEY'S OFFICE MEMBERSHIP IN CERTAIN ORGANIZATIONS.

Note: Additions or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 16, Article I, of the San Francisco Administrative Code is hereby amended by amending Section 16.6-4 thereof, to read as follows:

SEC. 16.6-4 ((REPRESENTATION OF CITY AND COUNTY IN CERTAIN ORGANIZATIONS - CITY ATTORNEY.)) MEMBERSHIP IN CERTAIN ORGANIZATIONS-CITY ATTORNEY'S OFFICE.

National Institute of Municipal Officers.

League of California Cities.

State Bar of California.

County Counsels Association of California.

American Association of Law Libraries

Northern California Association of Law Libraries.

International Society of Wang Users.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: _____
Deputy City Attorney

7498F

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
April 27, 1987	§	May 4, 1987
Ayes: Supervisors Britt Hongisto Hsieh Kennedy Maher Molinari Nelder Walker Ward	§	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Maher Molinari Nelder Silver Walker Ward
Absent: Supervisors Gonzalez Silver	§	Absent: Supervisors Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No. 97-87-23

MAY 14 1987
Date Approved

_____
Mayor

AMENDMENT OF THE WHOLE
4/21/87

FILE NO. 90-37-4

ORDINANCE NO. 171-87

[Landmarks]
DESIGNATING THE FAIRMONT HOTEL AT 950 MASON STREET AS A LANDMARK PURSUANT TO ARTICLE 10 OF THE CITY PLANNING CODE.

Be it Ordained by the People of the City and County of San Francisco:

Section 1. The Board of Supervisors hereby finds that the Fairmont Hotel located at 950 Mason Street, Lot 1 in Assessor's Block 244, has a special character and special historical, architectural and aesthetic interest and value, and that its designation as a landmark will further the purposes of, and conform to the standards set forth in Article 10 of the City Planning Code.

(a) Designation. Pursuant to Section 1004 of the City Planning Code, Chapter II, Part II of the San Francisco Municipal Code, the Fairmont Hotel at 950 Mason Street is hereby designated as a Landmark, this designation having been duly approved by Resolution No. 10816 of the City Planning Commission, which Resolution is on File with the Clerk of the Board under File No. 90-87-4.

(b) Required Data. The location and boundaries of the Landmark site encompass Lot 1 in Assessor's Block 244 excepting the easterly portion upon which the roof garden structure, Crown Room Tower, and Pavilion Room are constructed. The characteristics of the Landmark which justify its designation, and the particular features that should be preserved as included in the said Resolution, are incorporated in this designating ordinance as though fully set forth.

(SEE FILE FOR REQUIRED SIGNATURES)

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
April 27, 1987	§	May 4, 1987
Ayes: Supervisors Britt Hongisto Hsieh Kennedy Maher Molinari Nelder Walker Ward	§	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Maher Molinari Nelder Silver Walker Ward
Absent: Supervisors Gonzalez Silver	§	Absent: Supervisors Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 90-87-4

MAY 14 1987
Date Approved

Mayor

AMENDED IN COMMITTEE 4/22/87

FILE NO. 101-86-98

ORDINANCE NO. 172-87

RO #6771 SA #82A

(Government Funding)

APPROPRIATING $1,344,000 FOR ~~AUTOMOTIVE VEHICLES~~ EARTHQUAKE PREPAREDNESS EQUIPMENT, AND CAPITAL IMPROVEMENT PROJECT (EMERGENCY GENERATORS), AND RESCINDING $56,899 FROM EQUIPMENT, FIRE DEPARTMENT, FOR FISCAL YEAR 1986-87.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1986-87 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
05-603	1971 Fire Protection Bond		
G.L. 495 (015503)	Use of Surplus	$ 244,257	
31-03-00	Fire Department		
49-4900 ( )	Revenue Transfer-Out to 01-001 - General Fund; 31-03-00 - Fire Department		$ 244,257
05-604	1974 Fire Protection Bond		
G.L. 495 (015420)	Use of Surplus	$ 196,811	
22-2200 (333120)	Equipment	$ 56,899	
31-03-00	Fire Department		
49-4900 ( )	Revenue Transfer-Out to 01-001 - General Fund; 31-03-00 - Fire Department		$ 253,710
05-605 ( )	1977 Fire Protection Bond		
G.L. 495 (015495)	Use of Surplus	$ 500,033	
31-03-00	Fire Department		
49-4900 ( )	Revenue Transfer-Out to 01-001 - General Fund; 31-03-00 - Fire Department		$ 500,033
02-331	Real Property Fund		
G.L. 312 (013540)	Reserve for Contingencies		
Subsidiary (000002)	Fire Department	$ 346,000	
31-00-00	Fire Department		
49-4900 ( )	Revenue Transfer-Out to 01-001 - General Fund; 31-03-00 - Fire Department		$ 346,000
	Total	$1,344,000	$1,344,000

ac(0721P-21)

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
31-03-00 (530071)	Fire Department		
99-9990 ( )	Revenue Transfer-In from #05-603 - 1971 Fire Protection Bond Fund; 31-03-00 - Fire Department	$ 244,257	
99-9990 ( )	Revenue Transfer-In from #05-604 - 1974 Fire Protection Bond Fund; 31-03-00 - Fire Department	253,710	
99-9990 ( )	Revenue Transfer-In from #05-605 - 1977 Fire Protection Bond Fund; 31-03-00 - Fire Department	500,033	
99-9990 ( )	Revenue Transfer-In from #02-331 - Property Fund; 31-00-00 - Fire Department	346,000	
22-2201 (530071)	Automotive Vehicles		$ 105,526
22-2201	Automotive Vehicles (Outfitting of Equipment)		892,474
21-2030 (530428)	Capital Improvement Project		
Project	Emergency Generators		346,000
	Total	$1,344,000	$1,344,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
[signature]
CONTROLLER

APR 9 1987

RECOMMENDED:
[signature]
MAYOR

ac(0721P-22)

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JUN 8 1987
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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
April 27, 1987	§	May 4, 1987
	§	
	§	
Ayes: Supervisors Britt Hongisto	§	Ayes: Supervisors Britt Gonzalez
Hsieh Kennedy Maher Molinari	§	Hongisto Hsieh Maher Molinari
Nelder Walker Ward	§	Nelder Silver Walker Ward
	§	
Absent: Supervisors Gonzalez Silver	§	Absent: Supervisors Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-86-98

MAY 1 4 1987
Date Approved

Diane Feinstein
Mayor

AMENDMENT OF THE WHOLE AS AMENDED
IN CMTE. 4/29/87

FILE NO. 101-86-96

ORDINANCE NO. 173-87

RO # 6762 SA # 75

(Government Funding)

APPROPRIATING $83,647 ~~$160,079~~ FOR PERMANENT AND TEMPORARY SALARIES, OVERTIME AND RELATED MANDATORY FRINGE BENEFITS, DATA/WORD PROCESSING EQUIPMENT MAINTENANCE, OTHER CONTRACTUAL SERVICES, AUTO MILEAGE, TRAINING, OTHER CURRENT SERVICES, RENTAL OF PROPERTY, MATERIAL AND SUPPLIES, EQUIPMENT, EQUIPMENT LEASE/PURCHASE, CONTROLLER-MAINTENANCE AND OPERATIONS, REPRODUCTION, MISCELLANEOUS DEPARTMENTS AND RESCINDING $61,167 FROM PERMANENT SALARIES FOR THE ADDITION OF TWO (2) PERMANENT POSITIONS AND THE ABOLISHMENT OF TWO (2) PERMANENT POSITIONS, PUBLIC HEALTH-ENVIRONMENTAL HEALTH, FOR FISCAL YEAR 1986-87.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1986-87 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
83-05-03	Public Health-Environmental Health		
01-0010 (732313)	Permanent Salaries	$36,200	
83-07-03	Public Health - Commission Disease		
01-0010 (441758)	Permanent Salaries	24,967	
83-00-00	Public Health - Central Office		
70-7520 (041590)	Hazardous Materials- Application Fees	22,480 ~~98,912~~	
83-05-03	Public Health-Environmental Health		
01-0010 (732313)	Permanent Salaries		$24,967
02-0200	Temporary Salaries		36,200
03-0100	Overtime - Permanent		3,072
04-0600	Mandatory-Fringe Benefits		17,662
10-1060 (732313)	Data/Word Processing Equipment Maintenance		-0- ~~561~~
10-1090	Other Contractual Services		1,500
10-1120	Auto Mileage		1,290
10-1130	Training		1,689
10-1200	Other Current Services		2,132
10-1460	Rental of Property		3,750
11-1300	Material and Supplies		1,827
22-2200 (732313)	Equipment		3,200
22-2310	Equipment Lease/Purchase		15,795 ~~16,185~~
30-3400 (732313)	Controller-Maintenance & Operations		20,660 ~~41,319~~
30-3500	Reproduction		1,875
30-3890	Miscellaneous Departments		2,250
	Total	$83,647 ~~$160,079~~	$ 83,647 ~~$160,079~~

Section 2. Funds are hereby appropriated for the addition of two (2) positions and the abolishment of two (2) positions by amendment to the General Salary Ordinance (Board of Supervisors' File No. 102-86-35) as follows:

Fund / Department / Classification	General Fund / Public Health-Central Office / Rate of Pay	Added	Abolished
A819 A Senior Industrial Hygienist.....J, SC, Z	2,006 B 2,006	1	

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Fund Department Classification	General Fund Public Health-Central Office Rate of Pay	Added	Abolished
6122 A Senior Environmental Health Inspector.....SC, Z	1,588 B 1,927	1	
1404 B Clerk.....	617 B 745		1
2586 B Health Worker II.....	681 B 822		1

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

John C. Farrell
CONTROLLER

APR 29 1987

APPROVED: CIVIL SERVICE COMMISSION

BY: John J. Walsh FK
GENERAL MANAGER, PERSONNEL

RECOMMENDED:

Dianne Feinstein
MAYOR

lp-0896M

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 4, 1987	May 11, 1987
Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker	Ayes: Supervisors Britt Gonzalez Hongisto Kennedy Maher Molinari Nelder Walker
Absent: Supervisors Hongisto Ward	Absent: Supervisors Hsieh Silver Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-86-96

MAY 21 1987
Date Approved

Dianne Feinstein
Mayor

FILE NO. 155-87-3 ORDINANCE NO. 174-87

RO #6743

[Reward Authorization)

AUTHORIZING PAYMENT OF REWARD TO WLY ANDERSON, STEVEN CRANFORD, WILL GILLYARD, MICHAEL LABUA, CHARLES RAMIREZ, MUSTAFA ROSSMAN, GEORGE E. THWAITES, CORNEL ZACHARY.

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NOTE: This material is entirely new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Controller of the City and County of San Francisco is hereby authorized to draft a warrant upon the Treasury of the City and County of San Francisco in the amount of Five Hundred Dollars ($500.00) payable to Wly Anderson, for supplying information leading to the arrest and conviction (or admissions of guilt with voluntary probation) of the perpetrators of several graffiti incidents.

Section 2. The Controller of the City and County of San Francisco is hereby authorized to draft a warrant upon the Treasury of the City and County of San Francisco in the amount of Five Hundred Dollars ($500.00) payable to Steven Cranford, for supplying information leading to the arrest and conviction (or admissions of guilt with voluntary probation) of the perpetrators of several graffiti incidents.

Section 3. The Controller of the City and County of San Francisco is hereby authorized to draft a warrant upon the Treasury of the City and County of San Francisco in the amount of Five Hundred Dollars ($500.00) payable to Will Gillyard, for supplying information leading to the arrest and conviction (or admissions of guilt with voluntary probation) of the perpetrators of several graffiti incidents.

Section 4. The Controller of the City and County of San Francisco is hereby authorized to draft a warrant upon the Treasury of the City and County of San Francisco in the amount of Two Hundred and Fifty Dollars ($250.00) payable to Michael Labua, for supplying information leading to the arrest and conviction (or admissions of guilt with voluntary probation) of the perpetrators of several graffiti incidents.

Section 5. The Controller of the City and County of San Francisco is hereby authorized to draft a warrant upon the Treasury of the City and County of San Francisco in the amount of Two Hundred and Fifty Dollars ($250.00) payable to Charles Ramirez, for supplying information leading to the arrest and conviction (or admissions of guilt with voluntary probation) of the perpetrators of several graffiti incidents.

Section 6. The Controller of the City and County of San Francisco is hereby authorized to draft a warrant upon the Treasury of the City and County of San Francisco in the amount of Five Hundred Dollars ($500.00) payable to Mustafa Rossman, for supplying information leading to the arrest and conviction (or admissions of guilt with voluntary probation) of the perpetrators of several graffiti incidents.

Section 7. The Controller of the City and County of San Francisco is hereby authorized to draft a warrant upon the Treasury of the City and County of San Francisco in the amount of Five Hundred Dollars ($500.00) payable to George E. Thwaites, for supplying information leading to the arrest and conviction (or admissions of guilt with voluntary probation) of the perpetrators of several graffiti incidents.

Section 8. The Controller of the City and County of San Francisco is hereby authorized to draft a warrant upon the Treasury of the City and County of San Francisco in the amount of Five Hundred Dollars ($500.00) payable to Cornel Zachary, for supplying information

leading to the arrest and conviction (or admissions of guilt with voluntary probation) of the perpetrators of several graffiti incidents.

APPROVED AS TO FORM:

LOUISE K. RENNE
City Attorney

By: _____
Deputy City Attorney

6785F/03-10-87

FUNDS AVAILABLE:

By John C Farrell
CONTROLLER
01 001 97 09 25
323428 1450 $3,500.00

MAR 3 1 1987

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 11, 1987	May 18, 1987
Ayes: Supervisors Britt Gonzalez Hongisto Kennedy Maher Molinari Nelder Walker	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Nelder Walker Ward
Absent: Supervisors Hsieh Silver Ward	Absent: Supervisors Maher Molinari Silver

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
155-87-3

MAY 2 1 1987
Date Approved

Dianne Feinstein
Mayor

AMENDED IN COMMITTEE 4/29/87

FILE NO. 86-87-1

ORDINANCE NO. 175-87

(COUNTY FAIR-FLOWER SHOW LEASE)

/87 AS AMENDED
APPROVING LEASE FOR ESTABLISHING AND OPERATING THE 1987 COUNTY FAIR-FLOWER SHOW IN THE SAN FRANCISCO COUNTY FAIR BUILDING AND COUNTY FAIR GROUNDS LOCATED IN GOLDEN GATE PARK, SAN FRANCISCO, CALIFORNIA.

Be it ordained by the People of the City and County of San Francisco:

Section 1. That certain lease as amended between the Recreation and Park Commission, acting for and on behalf of the City and County of San Francisco and the San Francisco Flower Show, Inc., a non-profit corporation, for establishing and operating the 1987 county fair-flower show in the San Francisco County Fair Building and County Fair Grounds, a copy of which lease as amended is on file in the office of the Clerk of the Board of Supervisors and to which reference is hereby made is hereby approved.

RECOMMENDED:

Ernest L. Pindes
Mary E. Burns, General Manager
Recreation and Park Department

Shauna Marie Rose
Shauna Marie Rose, Secretary
Recreation and Park Commission

Mara E. Rosales
Mara E. Rosales, Deputy City Attorney

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
May 4, 1987	§	May 11, 1987
Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker	§	Ayes: Supervisors Britt Gonzalez Hongisto Kennedy Maher Molinari Nelder Walker
Absent: Supervisors Hongisto Ward	§	Absent: Supervisors Hsieh Silver Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
86-87-1

MAY 21 1987
Date Approved

Dianne Feinstein
Mayor

FILE NO. 36-87.2.2 ORDINANCE NO. 176-87

(Zoning Change 85.495Z)
(DCP File No.)

ADOPTING CHANGES IN PROPERTY USE CLASSIFICATION AS AN AMENDMENT TO THE ZONING MAP OF THE CITY AND COUNTY OF SAN FRANCISCO OF PROPERTY LOCATED AT 98 PARKRIDGE DRIVE AND 98 125 GARDENSIDE DRIVE, LOTS 8, 9, and 10 ASSESSOR'S BLOCK 2854 FROM AN RH-2 (HOUSE, TWO-FAMILY) DISTRICT TO AN RH-3 (HOUSE, THREE-FAMILY) DISTRICT.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Pursuant to resolution of the Board of Supervisors, adopting the final negative declaration as its own, and pursuant to Section 302(c) of the City Planning Code, the following change in property use classification, duly approved by resolution of the City Planning Commission is hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco.

Description of Property	Use District to be Superseded	Use District Hereby Approved
Beginning at a point at the northern intersection of Parkridge Drive and Gardenside Drive, thence southwesterly along an undulating line 935.699 feet, thence at a right angle westerly 172.789 feet, thence at a right angle northerly 40.320, thence at an obtuse angle northwesterly 50 feet, thence at an acute angle northeasterly 622.595 feet along an undulating line, thence at an obtuse angle easterly 26.688 feet, thence at an obtuse angle northerly 261.353 feet to the point of beginning; being all of Lots 8, 9, and 10 in Assessor's Block 2854; and adjacent street areas to their centerline.	RH-2 (House, Two-Family)	RH-3 (House, Three-Family)

APPROVED AS TO FORM:
LOUISE RENNE, CITY ATTORNEY
By [signature]
Deputy City Attorney

RECOMMENDED:
CITY PLANNING COMMISSION
Dean Macris
Dean L. Macris
Director of Planning

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
May 4, 1987	§	May 11, 1987
	§	
	§	
Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward	§	Ayes: Supervisors Britt Gonzalez Hongisto Kennedy Maher Molinari Nelder Walker
	§	
Absent: Supervisors Hongisto	§	Absent: Supervisors Hsieh Silver Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
36-87-2.2

MAY 21 1987
Date Approved

Mayor

FILE NO. 36-87-4.1 ORDINANCE NO. 177-87

ADOPTING CHANGES IN PROPERTY USE CLASSIFICATION AS AN AMENDMENT TO THE ZONING MAP OF THE CITY AND COUNTY OF SAN FRANCISCO FOR 95 KISKA ROAD FROM P TO C-1

Be it ordained by the People of the City and County of San Francisco:

Pursuant to Resolution (No.) of the Board of Supervisors, adopting the final negative declaration as its own, and pursuant to Section 302(c) of the City Planning Code, Part II, Chapter II of the San Francisco Municipal Code, the following change in property use classification, duly approved by resolution of the City Planning Commission, is hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco.

Description of Property	Use District to be Superseded	Use District Hereby Approved
All that certain real property situated in the City and County of San Francisco, State of California described as follows:	P(Public Use)	C-1 (Community Business)

Beginning at a point which is distant 10.90 feet at right angles southeasterly from the center line of Hawes Street (formerly "H" Street) and distant 76.11 feet southwesterly from the center line of La Salle Avenue (formerly 12th Avenue South) as said street and avenue are shown on "Map of San Francisco Homestead and R. R. Association" filed April 15, 1867 in Map Book "2A and B" at pages 37 and 39 Official Records of the City and County of San Francisco; and running thence southwesterly, along a line which deflects 7°44 to the left from the southwesterly bearing of Hawes Street 171.95 feet; thence deflecting 55°08'15" to the left and running southeasterly 290.70 feet; thence deflecting 27°07'45" to the left and running southeasterly parallel to said line of La Salle Avenue 220 feet; thence at right angles northeasterly parallel to said line of Hawes Street 261.83 feet to the southwesterly line of Kiska Road as constructed; thence northwesterly along said line of Kiska Road, along the arc of a curve to the right, whose tangent deflects 101°33'29" to the left from the preceding course, with a radius of 701.50 feet, a central angle of 22°33'29", a distance of 276.19 feet; thence northwesterly tangent to the preceding curve 215.41 feet; thence northwesterly along the arc of a curve to the left, tangent to the preceding course, with a radius of 74.50 feet, a central angle of 12°22'20", a distance of 16.09 feet to the point of beginning,

being all of Lot 10 in Assessor's Block 4700, and adjacent street areas to their centerline.

APPROVED AS TO FORM:
LOUISE RENNE, CITY ATTORNEY

By Paula Jesson
Deputy City Attorney

RECOMMENDED:
CITY PLANNING COMMISSION

By [signature] for
Dean L. Macris
Director of Planning

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
May 4, 1987	§	May 11, 1987
	§	
	§	
Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker Ward	§	Ayes: Supervisors Britt Gonzalez Hongisto Kennedy Maher Molinari Nelder Walker
	§	
Absent: Supervisors Hongisto	§	Absent: Supervisors Hsieh Silver Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
36-87-4.1

MAY 21 1987
Date Approved

Dianne Feinstein
Mayor

FILE NO. 102-86-35 ORDINANCE NO. 178-87

PUBLIC EMPLOYMENT SAL.ORD.AMEND.NO. 22

AMENDING ORDINANCE NO. 316-86 (ANNUAL SALARY ORDINANCE, 1986-87) REFLECTING THE ADDITION OF TWO PERMANENT POSITIONS, THE ABOLISHMENT OF TWO PERMANENT POSITIONS AND THE ADDITION OF FOUR TEMPORARY POSITIONS IN THE DEPT. OF PUBLIC HEALTH, CENTRAL OFFICE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated items and section of Ordinance No. 316-86 (Annual Salary Ordinance, 1986-87) are hereby amended so that the same shall read as follows:

(Amendment)	No. Pos.	Class & Item No.	Class Title	Compensation Schedule
		Dept.:	83 DPH Central Office	
		Division:	05 Food & Sanitary Inspections	
		Section:	00 Food & Sanitary Inspections	
		Fund:	01001 General Fund	
		Object:	001 Regular Misc.	
1 added	1	A819 A	Senior Industrial Hygienist.....J, SC, Z	$2006B2006
1 added	1	6122 A	Senior Environmental Health Inspector SC,Z	1588B1927
		Object:	020 Regular Temp.	
0 added	0	1426 A	Senior Clerk Typist.....SC	704B350
0 added	0	6120 A	Environmental Health Inspector.....SC,Z	1477B1791
0 added	0	6122 A	Sr. Environmental Health Inspector....SC,Z	1588B1927
0 added	0	6138 A	Industrial Hygienist.....SC,Z	1407B1706
		Dept.:	83 DPH Central Office	
		Division:	07 Disease Control	
		Section:	00 Disease Control	
		Fund:	01001 General Fund	
		Object:	001 Regular Misc.	
1 abolished	2	1404 B	Clerk.....	617B745
1 abolished	6	2586 B	Health Worker II.....	681B822

APPROVED AS TO CLASSIFICATION:
CIVIL SERVICE COMMISSION

GENERAL MANAGER, PERSONNEL

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By:

NO. 22

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Board of Supervisors, San Francisco

Passed for Second Reading
May 4, 1987
Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Maher Molinari Nelder Silver Walker
Absent: Supervisors Hongisto Ward

Finally Passed
May 11, 1987
Ayes: Supervisors Britt Gonzalez Hongisto Kennedy Maher Molinari Nelder Walker
Absent: Supervisors Hsieh Silver Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 102-86-35

MAY 21 1987
Date Approved

Mayor

Amended in Committee 5/13/87

FILE NO. 101-86-105

ORDINANCE NO. 179-87

RO #6780 SA #140

(Government Funding)

3/87 ah APPROPRIATING ~~$250,000~~ $200,000 FOR CAPITAL IMPROVEMENT PROJECT (DIVISION STREET CONNECTION PROJECT) CLEAN WATER, FOR FISCAL YEAR 1986-87.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for F/Y 1986-87 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
35-895	1976 Sewer Revenue Bond Fund		
G.L. 495	Use of Surplus	~~$250,000~~ 200,000	
92-01-00	Clean Water Program		
21-2030 (543363)	Capital Improvement Project		
Project 108-00	Division Street Connection		~~$250,000~~ 200,000
		~~$250,000~~ 200,000	~~$250,000~~ 200,000

3/87 ah

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
John C. Farrell
CONTROLLER

APR 22 1987

RECOMMENDED:
Dianne Feinstein
MAYOR

lm(#0179P-2)

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 18, 1987	May 26, 1987
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Nelder Walker Ward	Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Nelder Silver Walker
Absent: Supervisors Maher Molinari Silver	Absent: Supervisors Hongisto Maher Molinari Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-86-105

MAY 28 1987
Date Approved

Dianne Feinstein
Mayor

Amended in Cmte. 5/6/87

FILE NO. 101-86-100

ORDINANCE NO. 180-87

RO #6773 SA #153

(Government Funding)

APPROPRIATING $290,000 FOR PROGRAM PROJECT BUDGET (SURVEY-COURTROOM FACILITIES), SUPERIOR COURT, FOR FISCAL YEAR 1986-87; PLACING $280,000 IN RESERVE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1986-87 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
02-010	Courthouse Temporary Construction Fund		
G.L. 495 (045690)	Use of Surplus	$290,000	
10-00-00	Superior Court		
20-2010 (316117)	Program Project Budget		
Project	Survey-Courtroom Facilities		
10-1001	Professional and Special Service Contracts		$290,000 *
	Total	$290,000	$290,000

*Sec. 2. Funds in the amount of $280,000 are hereby held in reserve until released by the Finance Committee, pending consultants' report and review by CIAC.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
John C Farrell
CONTROLLER

RECOMMENDED:
APR 14 1987
MAYOR

ac(#0121P-24)

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 11, 1987	May 18, 1987
Ayes: Supervisors Britt Gonzalez Hongisto Kennedy Maher Molinari Nelder Walker	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Nelder Walker Ward
Absent: Supervisors Hsieh Silver Ward	Absent: Supervisors Maher Molinari Silver

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 101-86-100

MAY 28 1987
Date Approved

Mayor

FILE NO. 101-86-103 ORDINANCE NO. 181-87

(Government Funding) RO #6787 SA #139

APPROPRIATING $5,698,751 FOR GENERAL ASSISTANCE, SOCIAL SERVICES, FOR FISCAL YEAR 1986-87. PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1986-87 as follows:

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	AMOUNT CREDIT
01-001	General Fund		
G.L. 496 (000026)	Unappropriated Revenue Reserve		
Subsidiary (000005)	Estimated June 30, 1987		
	Closeouts	$5,698,751	
45-04-00	Social Services		
15-1530 (647206)	General Assistance		$5,698,751
	Total	$5,698,751	$5,698,751

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

John C Farrell
CONTROLLER

APR 22 1987

RECOMMENDED:

_____
MAYOR

(fh#0780P3)

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 11, 1987	May 18, 1987
Ayes: Supervisors Britt Gonzalez Hongisto Kennedy Maher Molinari Nelder Walker	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Nelder Walker Ward
Absent: Supervisors Hsieh Silver Ward	Absent: Supervisors Maher Molinari Silver

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No. 101-86-103

MAY 28 1987
Date Approved

_____
Mayor

File No. 124-87-3 ORDINANCE NO. 182-87

[Parking Revenue]

AMENDING PART II, CHAPTER XI, SAN FRANCISCO MUNICIPAL CODE (TRAFFIC CODE), BY AMENDING SECTION 213 THEREOF, TO ADJUST THE AMOUNT OF PARKING METER FUNDS CREDITED TO THE OFF-STREET PARKING FUND AND TO ALLOW REIMBURSEMENT OF FUNDS ADVANCED TO FINANCE PUBLIC OFF-STREET PARKING FACILITIES IN NEIGHBORHOOD COMMERCIAL DISTRICTS.

Note: Additions or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter XI, San Francisco Municipal Code (Traffic Code) Section 213 is hereby amended, to read as follows:

SEC. 213. Use Parking Meter Funds - Creation of Off-Street Parking fund. Coins deposited in parking meters shall be collected by the Tax Collector and deposited in the Treasury of the City and County of San Francisco.

All moneys in excess of $1,500,000 so deposited during any fiscal year shall be credited to a special fund to be known as the Off-Street Parking Fund except that commencing with fiscal year (((1985-86)) 1987-88 all moneys in excess of (($2,300,000)) $3,000,000 so deposited shall be credited to said Off-Street Parking Fund. All net revenues received from off-street City owned parking facilities leased by City to private operators, costs of which facilities were paid for them from the off-street parking fund, and those facilities listed in subsection (a) below, limited to the period provided in that subsection (a), also shall be credited to such off-street parking irrespective of whether such facilities are operated with or without meters.

Subject to the restrictions provided in this section and any prior legally binding obligations said special fund is hereby created for the purpose of financing the San Francisco off-street parking program including, but not limited to, capital outlays for the acquiring, constructing, completing and leasing public parking lots, storage space, garages, single or multi-level structures, and other off-street parking facilities on, under, or above the surface of any property, including public parks, squares, lands, easements or rights-of way to be acquired by purchase or condemnation, together with buildings, structures, equipment, approach roads, entrances, exits, fencing, off-street parking meters, and other works, property or structures for the accommodation of automotive vehicles, and necessary or convenient for adequate parking facilities to relieve congestion, facilitate, regulate and control traffic within the City and County of San Francisco. Said special fund may also be used to finance the cost of engineering and construction of on-street parking bays in parking meter districts in neighborhood commercial districts, by sidewalk narrowing after the appropriate legislation has been approved by the Board of Supervisors.

In the accomplishment of said purpose, the use of said moneys deposited in said special fund shall be restricted to:

(a) All net revenues received by the City from the operation of the Sutter-Stockton Garage from fiscal years 1985-86 through 1989-90 inclusive, the St. Mary's Garage except for that portion dedicated to the Recreation and Park Department, Seventh and Harrison Parking Plaza and the Marshall Square Parking Plaza, shall be dedicated to the financing of public off-street parking facilities in or near neighborhood commercial districts((.)), except that such revenues may further be used to reimburse accounts which

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have advanced funds for purposes of financing public off-street parking facilities in or near neighborhood commercial districts.

(b) All net revenues received from public off-street parking facilities financed pursuant to subsection (a) above, shall be dedicated to the maintenance of existing and the financing of new public off-street parking facilities in or near neighborhood commercial districts.

(c) The payment of the costs of engineering and related studies and surveys.

(d) The payment of the costs, operation and maintenance of parking facilities and related structures hereafter acquired or constructed as aforesaid, including the payment of possessory interest taxes required by any agreement authorized by the Board of Supervisors.

(e) The sole pledge for the servicing of past or future indebtedness incurred by the issuance of bonds or other instruments by or on behalf of the City and County of San Francisco for the acquisition, construction and completion of off-street parking facilities.

(f) The sole additional pledge augmenting a pledge of revenue from off-street parking facilities for the servicing of past or future indebtedness incurred by the issuance of revenue bonds or other revenue instruments by or on behalf of the City and County of San Francisco for the acquisition, construction and completion of off-street parking facilities.

(g) Payment of the cost of engineering and construction of on-street parking bays in commercial and residential-commercial combined districts and in parking meters districts in neighborhood shopping districts by sidewalk narrowing and necessary related

/ / /

BOARD OF SUPERVISORS

activities after any appropriate legislation has been approved by the Board of Supervisors.

(h) Administrative expenses of the Parking Authority.

(i) Payment to the General Fund, for traffic regulation and control, of any amounts remaining in said special fund after making provision for the requirements under (a), (b), (c), (d), (e), (f), (g) and (h) hereof.

The moneys in said special fund shall be set aside for the aforesaid purposes upon recommendation by the Parking Authority of the City and County of San Francisco and appropriation thereof by the Board of Supervisors pursuant to the budget and fiscal provisions of the Charter.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By _____
ROBERT S. MAERZ
Deputy City Attorney

3741w

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
May 11, 1987	§	May 18, 1987
Ayes: Supervisors Britt Gonzalez Hongisto Kennedy Maher Molinari Nelder Walker	§	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Nelder Walker Ward
Absent: Supervisors Hsieh Silver Ward	§	Absent: Supervisors Maher Molinari Silver

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 124-87-3

MAY 28 1987

Date Approved

Mayor

FILE NO. 46-87-2 ORDINANCE NO. 183-87

(Settlement of Litigation)

AUTHORIZING SETTLEMENT OF LITIGATION OF CITY AND COUNTY OF SAN FRANCISCO AGAINST BANCROFT SAN FRANCISCO PROPERTIES, UNITED ARTISTS THEATRE CIRCUIT, INC. FOR $50,000.00.

BE IT ORDAINED by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized and directed to settle Superior Court Action No. 833-611, entitled "City and County of San Francisco v. Bancroft San Francisco Properties, United Artists Theatre Circuit, Inc." by the payment by the defendants to the City and County of San Francisco of $50,000.00.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

By Kimberly A. Reiley
KIMBERLY A. REILEY
Chief Trial Deputy

APPROVED:

Dean Macris
DEAN MACRIS, Director
City Planning

3521j

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JUN 10 1987
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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 11, 1987	May 18, 1987
Ayes: Supervisors Britt Gonzalez Hongisto Kennedy Maher Molinari Nelder Walker	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Nelder Walker Ward
Absent: Supervisors Hsieh Silver Ward	Absent: Supervisors Maher Molinari Silver

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 46-87-2

MAY 28 1987
Date Approved

Dianne Feinstein
Mayor

FILE NO. 45-87-34

ORDINANCE NO. 184-87

RO #6778

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF CRAIG STEPHEN NABORS V. CITY AND COUNTY OF SAN FRANCISCO FOR $16,666.67.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is authorized to settle the action entitled "CRAIG STEPHEN NABORS V. CITY AND COUNTY OF SAN FRANCISCO, et al." Superior Court No. 834-907, by the payment of $16,666.67.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:
DEPARTMENT OF PUBLIC WORKS

RICHARD J. EVANS
Director

FUNDS AVAILABLE

CONTROLLER

01 001 97 09 90
309674 1450 $16,666.67

APR 14 1987

APPROVED:

CHIEF ADMINISTRATIVE OFFICER

7160F

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JUN 10 1987

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Passed for Second Reading	Finally Passed
May 11, 1987	May 18, 1987
Ayes: Supervisors Britt Gonzalez Hongisto Kennedy Maher Molinari Nelder Walker	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Nelder Walker Ward
Absent: Supervisors Hsieh Silver Ward	Absent: Supervisors Maher Molinari Silver

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-87-34

MAY 28 1987
Date Approved

Mayor

FILE NO. 45-87-33

ORDINANCE NO. 185-87

RO #6768

(SETTLEMENT OF LAWSUIT)

AUTHORIZING SETTLEMENT OF LITIGATION OF ALCANTAR, ET AL. AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $115,000.00.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "ALCANTAR, et al., v. CITY AND COUNTY OF SAN FRANCISCO, et al., "Superior Court No. 805-312, by the payment of $115,000.00.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

FUNDS AVAILABLE:

Controller

01 001 309658 1450 $115,000.00
97 09 83

APR 06 1987

RECOMMENDED:

DEPARTMENT OF PUBLIC HEALTH

DAVID WERDEGAR, M.D., M.P.H.
Director

APPROVED:

HEALTH COMMISSION

By: Secretary

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JUN 10 1987

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
May 11, 1987	§	May 18, 1987
Ayes: Supervisors Britt Gonzalez Hongisto Kennedy Maher Molinari Nelder Walker	§	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Nelder Walker Ward
Absent: Supervisors Hsieh Silver Ward	§	Absent: Supervisors Maher Molinari Silver

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
45-87-33

MAY 28 1987
Date Approved

Mayor

FILE NO. 45-87-32 ORDINANCE NO. 186-87

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF HARTFORD INSURANCE CO., ET AL. BY ACCEPTING FROM BECHTEL CORPORATION PAYMENT OF $6,000.

Be it ordained by People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "HARTFORD INSURANCE CO. v. JEREMIAH KEOHANE, et al.," Municipal Court No. 898-167, by accepting from Bechtel Corporation payement of $6,000 and their agreement to hold harmless and indemnify the City and County of San Francisco and its employees against the claim of Hartford Insurance Company.

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

By Kimberly A. Reiley
KIMBERLY A. REILEY
Chief Trial Deputy

(See file for departmental signatures.)

5612F

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JUN 1 0 1987

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 11, 1987	May 18, 1987
Ayes: Supervisors Britt Gonzalez Hongisto Kennedy Maher Molinari Nelder Walker	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Nelder Walker Ward
Absent: Supervisors Hsieh Silver Ward	Absent: Supervisors Maher Molinari Silver

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-87-32

MAY 2 8 1987
Date Approved

Mayor

FILE NO. 45-87-29

ORDINANCE NO. 187-87

RO #6741

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF JAMES DORA AGAINST CITY AND COUNTY OF SAN FRANCISCO FOR $29,750.00.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "JAMES DORA v. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 842-009, by the payment of $29,750.00.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

By: KIMBERLY A. MILLY
Chief Trial Deputy

RECOMMENDED:

SAN FRANCISCO POLICE DEPARTMENT

By: FRANK JORDAN, Chief
San Francisco Police

FUNDS AVAILABLE:

John C Farrell
Controller

01 001 97 09 38
309781 1450 $29,750.00

MAR 31 1987

APPROVED:
POLICE COMMISSION:

Secretary

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JUN 10 1987

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 11, 1987	May 18, 1987
Ayes: Supervisors Britt Gonzalez Hongisto Kennedy Maher Molinari Nelder Walker	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Nelder Walker Ward
Absent: Supervisors Hsieh Silver Ward	Absent: Supervisors Maher Molinari Silver

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
45-87-29

MAY 28 1987
Date Approved

Mayor

FILE NO. 45-87-26

ORDINANCE NO. 188-87

RO #6746

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF PAGE ALLISON NAVE V. CITY AND COUNTY OF SAN FRANCISCO FOR $30,000.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "PAGE ALLISON NAVE V. CITY AND COUNTY OF SAN FRANCISCO, et al." Superior Court No. 858-733, by the payment of $30,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

Kimberly A. Reiley
KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:
DEPARTMENT OF PUBLIC HEALTH

Margaret Kirkland for
David Werdegar, M.D., M.P.H.
Director

FUNDS AVAILABLE:

John C Farrell
CONTROLLER

01 001 97 09 83
309658 1450 $30,000.00

6520F MAR 31 1987

APPROVED:

PUBLIC HEALTH COMMISSION

Sandy Ouye Mori
SECRETARY

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JUN 10 1987

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 11, 1987	May 18, 1987
Ayes: Supervisors Britt Gonzalez Hongisto Kennedy Maher Molinari Nelder Walker	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Nelder Walker Ward
Absent: Supervisors Hsieh Silver Ward	Absent: Supervisors Maher Molinari Silver

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
45-87-26

MAY 28 1987
Date Approved

Mayor

FILE NO. 45-87-23

ORDINANCE NO. 189-87

RO #6729 SA # 00

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF LOI NGO AGAINST MARSHALL WONG AND CITY AND COUNTY OF SAN FRANCISCO FOR $6,000.00.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "LOI NGO v. MARSHALL WONG and CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 811-214, by the payment of $6,000.00.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

By Kimberly A. Reiley
KIMBERLY REILEY
Chief Trial Deputy

RECOMMENDED:

SAN FRANCISCO POLICE DEPARTMENT

By Frank M. Jordan
FRANK JORDAN
Chief, San Francisco Police

FUNDS AVAILABLE:

John C. Farrell
Controller
01 001 97 09 38
309781 1450 $6,000.00

MAR 31 1987

APPROVED:

POLICE COMMISSION:

Willie E. Frazier
Secretary

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 11, 1987	May 18, 1987
Ayes: Supervisors Britt Gonzalez Hongisto Kennedy Maher Molinari Nelder Walker	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Nelder Walker Ward
Absent: Supervisors Hsieh Silver Ward	Absent: Supervisors Maher Molinari Silver

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
45-87-23

MAY 28 1987
Date Approved

Mayor

FILE NO. 45-87-21

ORDINANCE NO. 190-87

RO #6752

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF ALICE MAZZA V. CITY AND COUNTY OF SAN FRANCISCO FOR $25,000.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City attorney authorized to settle the action entitled "ALICE MAZZA V. CITY AND COUNTY OF SAN FRANCISCO, et al." Superior Court No. 860-656, by the payment of $25,000 with the City to pay $12,500 and DPW to pay $12,500.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

Kimberly A. Reiley
KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:
DEPARTMENT OF PUBLIC WORKS

for Jerry B. Lowry
RICHARD J. EVANS
Director

FUNDS AVAILABLE:

By John C. Farrell
CONTROLLER
01 001 97 09 90
309674 1450 $12,500.00
6159F 31 001 35 01 00
560946 1450 $12,500.00

MAR 31 1987

APPROVED:

CHIEF ADMINISTRATIVE OFFICER

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JUN 10 1987

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 11, 1987	May 18, 1987
Ayes: Supervisors Britt Gonzalez Hongisto Kennedy Maher Molinari Nelder Walker	Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Nelder Walker Ward
Absent: Supervisors Hsieh Silver Ward	Absent: Supervisors Maher Molinari Silver

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
45-87-21

MAY 28 1987
Date Approved

Mayor

FILE NO. 97-87-22 ORDINANCE NO. 191-87

[Drug Abuse Advisory Boards]

AMENDING CHAPTER 15 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY REPEALING SECTIONS 15.9 AND 15.9-1 THEREOF, REGARDING THE DRUG ABUSE ADVISORY BOARD AND THE LOCAL SUPPRESSION OF DRUG ABUSE IN SCHOOLS ADVISORY COMMITTEE.

Note: There are no additions or substitutions; two sections are being repealed.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 15 of the San Francisco Administrative Code is hereby amended by repealing Sections 15.9 and 15.9-1 thereof to read as follows:

SEC. 15.9. DRUG ABUSE ADVISORY BOARD is hereby repealed.

SEC. 15.9-1. ESTABLISHMENT OF LOCAL SUPPRESSION OF DRUG ABUSE IN SCHOOLS ADVISORY COMMITTEE is hereby repealed.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: _____
Deputy City Attorney

4706F

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JUN 16 1987

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PUBLIC LIBRARY

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
May 18, 1987	§	May 26, 1987
Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Molinari Nelder Silver Walker Ward	§	Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Nelder Silver Walker
Absent: Supervisors Hongisto Maher	§	Absent: Supervisors Hongisto Maher Molinari Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
97-87-22

June 3, 1987
Date Approved

_____
Mayor
Acting Mayor

FILE NO. 46-87-4 ORDINANCE NO. 192-87

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF SHARON CHINN vs. MARY CAIN, UPON RECEIPT OF THE SUM OF $15,999.77 AND AUTHORIZING DISMISSAL OF SAID LITIGATION.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized and directed to settle San Francisco Superior Court No. 829372 entitled "SHARON CHINN, Plaintiff v. MARY CAIN, Defendant, and CITY AND COUNTY OF SAN FRANCISCO, Intervenor" by acceptance of the sum of $15,999.77 and a Third Party Compromise and Release executed by the City employee SHARON CHINN.

Section 2. Upon receipt of said sum of $15,999.77, the City Attorney is authorized to dismiss said complaint.

APPROVED
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

By
EDW. C. A. JOHNSON
Deputy City Attorney

RECOMMENDED:

RETIREMENT BOARD
SAN FRANCISCO CITY AND COUNTY
EMPLOYEES' RETIREMENT SYSTEM

By Pam Levesque
PAM LEVESQUE
Executive Assistant to
General Manager

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JUN 16 1987
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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 18, 1987	May 26, 1987
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Nelder Walker Ward	Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Nelder Silver Walker
Absent: Supervisors Maher Molinari Silver	Absent: Supervisors Hongisto Maher Molinari Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John L. Taylor
Clerk

File No.
46-87-4

June 3, 1987
Date Approved

Mayor

Acting Mayor

FILE NO. 45-87-37

ORDINANCE NO. 193-87

RO #6782

(SETTLEMENT OF LAWSUIT)

AUTHORIZING SETTLEMENT OF LITIGATION OF ELSIE K. DEFFENBAUGH AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $25,000.00.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "ELSIE K. DEFFENBAUGH V. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 850-059, by the payment of $25,000.00.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

APPROVED:

CHIEF ADMINISTRATIVE OFFICER

FUNDS AVAILABLE:

Controller
01 001 97 09 70
309559 1450 $25,000.00

APR 20 1987

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JUN 16 1987

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PUBLIC LIBRARY

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 18, 1987	May 26, 1987
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Nelder Walker Ward	Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Nelder Silver Walker
Absent: Supervisors Maher Molinari Silver	Absent: Supervisors Hongisto Maher Molinari Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

Clerk

File No.
45-87-37

June 3, 1987
Date Approved

Mayor
Acting Mayor

FILE NO. 45-87-36 ORDINANCE NO. 194-87

RO #6784

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF WINBUSH AGAINST THE CITY AND COUNTY OF SAN FRANCISCO, et al., for $12,000.00.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "WINBUSH v. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 821-481, by the payment of $12,000.00.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:
POLICE DEPARTMENT

FRANK JORDAN, Chief

FUNDS AVAILABLE:

CONTROLLER

01 001 97 09 38
309781 1450 $12,000.00

APR 20 1987

APPROVED:
POLICE COMMISSION

Secretary

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JUN 16 1987
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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 18, 1987	May 26, 1987
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Nelder Walker Ward	Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Nelder Silver Walker
Absent: Supervisors Maher Molinari Silver	Absent: Supervisors Hongisto Maher Molinari Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
45-87-36

June 3, 1987
Date Approved

Mayor
Acting Mayor

FILE NO. 45-87-35

ORDINANCE NO. 195-87

RO #6785

[SETTLEMENT OF LAWSUIT]
AUTHORIZING SETTLEMENT OF LITIGATION OF MICHAEL BAILEY AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $30,000.00.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "MICHAEL BAILEY v. CITY AND COUNTY OF SAN FRANCISCO, et al." United States District Court No. C-84-6974 JPV, by the payment of $30,000.00.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

SAN FRANCISCO POLICE DEPARTMENT

FRANK JORDAN, CHIEF

FUNDS AVAILABLE:

CONTROLLER

01 001 97 09 38
309781 1450 $30,000.00

APR 20 1987

APPROVED:

SAN FRANCISCO POLICE COMMISSION

SECRETARY

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 18, 1987	May 26, 1987
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Nelder Walker Ward	Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Nelder Silver Walker
Absent: Supervisors Maher Molinari Silver	Absent: Supervisors Hongisto Maher Molinari Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
45-87-35

June 3, 1987
Date Approved

Mayor
Acting Mayor

FILE NO. 45-87-31 ORDINANCE NO. 196-87

RO #6740

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF DEBRA LEE HOFFERBER AGAINST CITY AND COUNTY OF SAN FRANCISCO FOR $6,000.00.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "DEBRA LEE HOFFERBER v. CITY AND COUNTY OF SAN FRANCISCO, et al.," Municipal Court No. 898-479, by the payment of $6,000.00.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

By: Kimberly A. Reiley
KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

SAN FRANCISCO POLICE DEPARTMENT

By: Frank M. Jordan
FRANK JORDAN, Chief
San Francisco Police

FUNDS AVAILABLE:

John C. Farrell
Controller
01 001 97 09 38
309781 1450 $6,000.00

MAR 31 1987

APPROVED:
POLICE COMMISSION:

Willie E. Frazier
Secretary

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
May 18, 1987	§	May 26, 1987
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Nelder Walker Ward	§	Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Nelder Silver Walker
Absent: Supervisors Maher Molinari Silver	§	Absent: Supervisors Hongisto Maher Molinari Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
45-87-31

June 3, 1987
Date Approved

Thomas H. Pitch
Mayor
Acting Mayor

FILE NO. 45-87-30

ORDINANCE NO. 197-87

RO #6739

AUTHORIZING SETTLEMENT OF LITIGATION OF JULIE SANCHEZ and LUPE SANCHEZ AGAINST VETERANS TAXI CAB, et al. FOR $8,250.00.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "JULIE SANCHEZ and LUPE SANCHEZ vs. VETERANS TAXI CAB, et al.," Superior Court No. 828-935.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

By: KEVIN M. O'DONNELL
Deputy City Attorney

RECOMMENDED:

FRANK JORDAN, Chief
San Francisco Police Dept.

FUNDS AVAILABLE:

CONTROLLER
01 001 97 09 38
309781 1450 $8,250.00

MAR 31 1987

APPROVED:
POLICE COMMISSION

SECRETARY

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 18, 1987	May 26, 1987
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Nelder Walker Ward	Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Nelder Silver Walker
Absent: Supervisors Maher Molinari Silver	Absent: Supervisors Hongisto Maher Molinari Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
45-87-30

June 3, 1987
Date Approved

Mayor
Acting Mayor

FILE NO. 45-87-28

ORDINANCE NO. 198-87

RO #6751

AUTHORIZING SETTLEMENT OF LITIGATION OF MILDRED PHILLIPS AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $15,000.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled " MILDRED PHILLIPS V. CITY AND COUNTY OF SAN FRANCISCO, et al." Superior Court No. 820-069 by the payment of $15,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

Kimberly A. Reiley
KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

for Joan B. Cooney
Richard J. Evans, Director

FUNDS AVAILABLE:

By John C Farrell
CONTROLLER
01 001 97 09 90
309674 1450 $15,000.00

MAR 31 1987

APPROVED:

CHIEF ADMINISTRATIVE OFFICER

6194F

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
May 18, 1987	§	May 26, 1987
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Nelder Walker Ward	§	Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Nelder Silver Walker
Absent: Supervisors Maher Molinari Silver	§	Absent: Supervisors Hongisto Maher Molinari Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
45-87-28

June 3, 1987
Date Approved

Douglas Shoemaker
Mayor
Acting Mayor

FILE NO. 45-87-27

ORDINANCE NO. 199-87

RO# 6767

(SETTLEMENT OF LAWSUIT)
AUTHORIZING SETTLEMENT OF LITIGATION OF JAIR AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $6,500.00.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "JAIR VS. THE CITY AND COUNTY OF SAN FRANCISCO, et al.," Municipal Court No. 892-025, by the payment of $6,500.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

FUNDS AVAILABLE:

CONTROLLER

01.001 97 09 31
309773 1450 $6,500.00

MAR 31 1987

RECOMMENDED:

SAN FRANCISCO FIRE DEPARTMENT

EDWARD J. PHIPPS, Chief

APPROVED:

SAN FRANCISCO FIRE COMMISSION

SECRETARY

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Board of Supervisors, San Francisco

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May 18, 1987	May 26, 1987
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Nelder Walker Ward	Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Nelder Silver Walker
Absent: Supervisors Maher Molinari Silver	Absent: Supervisors Hongisto Maher Molinari Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
45-87-27

June 3, 1987
Date Approved

Mayor

Acting Mayor

FILE NO. 45-87-25

ORDINANCE NO. 200-87

RO #6737

AUTHORIZING SETTLEMENT OF LITIGATION OF WESTDAHL AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $7,500.00.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "WESTDAHL v. CITY AND COUNTY OF SAN FRANCISCO, et al.," Municipal Court No. 867-462 by the payment of $7,500.00.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

By: Kimberly A. Reiley
KIMBERLY REILEY
Chief of Litigation

FUNDS AVAILABLE

John C. Farrell
CONTROLLER
01 001 97 09 42
620245 1450 $7,500.00
MAR 31 1987

RECOMMENDED:

RECREATION AND PARK DEPARTMENT

Mary E. Burns
MARY E. BURNS
General Manager

APPROVED:

RECREATION AND PARK COMMISSION

Shawn Kelly
SECRETARY

3960F

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Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
May 18, 1987	May 26, 1987
Ayes: Supervisors Britt Gonzalez Hongisto Hsieh Kennedy Nelder Walker Ward	Ayes: Supervisors Britt Gonzalez Hsieh Kennedy Nelder Silver Walker
Absent: Supervisors Maher Molinari Silver	Absent: Supervisors Hongisto Maher Molinari Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
45-87-25

June 3, 1987
Date Approved

Mayor
Acting Mayor

9750 6

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